Monday
7th February, 1949

THE CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE) DEBATES

(PART I—QUESTIONS AND ANSWERS)]

Official Report

Volume I, 1949

(1st February to 17th February, 1949)

Fourth Session

OF THE

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

1949

Chamber Fumigated 18.10.73

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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE) DEBATES.

(PART I—QUESTIONS AND ANSWERS)

Monday, 7th February, 1949.

The Assembly met in the Assembly Chamber of the Council House at a Quarter to Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS.

ORAL ANSWERS.

ALLOCATIONS OF FOODGRAINS BY, F.A.O.

*159. **Shri R. K. Sidhva:** (a) Will the Honourable Minister of Agriculture be pleased to state the total quantity of foodgrains allotted to India for the current year by the Food and Agricultural Organisation at its recent conference held in Washington?

(b) What facilities have been given by the said conference to India for obtaining capital equipment?

The Honourable Shri Jairamdas Doulatram: (a) The International Emergency Food Committee had provisionally allotted to India 17·81 lakh tons of foodgrains from various sources for the period January to June, 1949. Of this 4,81,000 tons consist of rice and the balance of wheat 12,00,000 tons and coarse grains 100,000 tons.

(b) The annual conference of the F.A.O. reviews the food and agricultural situation in the world and makes recommendations as to the national and international action necessary. It cannot directly give any facilities to India or other member-countries for the procurement of capital equipment, which is a matter for individual countries to arrange.

Shri R. K. Sidhva: May I know, Sir, whether the Leader of the F.A.O stated on his arrival that his mission has been successful and that he will be able to secure capital goods at a cheaper rate from foreign countries. If that is so, may I know whether the rates for the purchase of these foodgrains have been favourable as compared with the previous years?

The Honourable Shri Jairamdas Doulatram: As a matter of fact, there has been no definite negotiation for any capital equipment yet. All that the Minister of Bombay, who was the Leader of the delegation, was referring to was that the ground had been prepared for favourable consideration. There has been no actual negotiation for any specific quantity of capital equipment and no kind of rates considered yet.

Shri R. K. Sidhva: Is it not a fact that he said he will be able to secure goods at cheaper rate?

The Honourable Shri Jairamdas Doulatram: He might have stated that, but I would not be able to explain what he said.

Shri R. K. Sidhva: Has he submitted a report?

The Honourable Shri Jairamdas Doulatram: He has submitted a report, but that is not material. As I said, there has been no negotiation yet for any particular specific quantity of capital equipment.

Shri R. K. Sidhva: Does the State guarantee the quality of the purchase of these article, of the basic sample?

The Honourable Shri Jairamdas Doulatram: There has been no negotiation yet. There is no question of quality. The honourable member is referring to some informal talks by the Leader of the Delegation in regard to purchases by India, but there is no actual negotiation for any specified rates or quality yet.

Shri B. P. Jhunjhunwala: Are we entitled to import foodgrains from other free markets, in addition to what we get from this organisation?

The Honourable Shri Jairamdas Doulatram: Yes. There are certain countries which are outside this organisation from which we shall purchase foodgrains.

Shri H. V. Kamath: How does the price at which foreign wheat is purchased abroad compared with the price of wheat procured in India?

The Honourable Shri Jairamdas Doulatram: That depends upon different seasons, different years and different countries. There is no one price prevailing in the countries with regard to wheat.

Shri R. K. Sidhva: Am I to understand that no contract has been made for the ensuing year for wheat?

Mr. Speaker: He has already stated that there are no purchases.

CARRYING OF AIR MAILS BY AIRWAYS COMPANIES

*160. **Shri R. K. Sidhva:** (a) Will the Honourable Minister of Communications be pleased to state the total weight of air mail—letters, parcels, etc.—carried by various air crafts in India and foreign countries?

(b) Is any subsidy given by Government to airways Companies for carrying mails?

(c) What amount has been paid to each company for carrying mails during the year 1948?

Shri Khurshed Lal (Deputy Minister for Communications): (a) A statement (No. I) showing the weight of air mails carried on the different routes by the various air companies during the period November 1947 to October 1948 is placed on the table of the House. No parcels were accepted for transmission by air mail during this period.

(b) No, Sir. The honourable member's attention is invited to the reply given to part (b) of starred question No. 90 dated the 3rd February, 1949.

(c) A statement No. (II) showing the amounts paid to the different air companies operating in India during the year 1948, on information immediately available is placed on the table of the House. A supplementary statement will be furnished to the House in due course.

STATEMENT I.

Showing the amounts paid to different Air Companies for the carriage of Air Mails during the year 1948.

Name of Air Company	Amount paid for service rendered in 1948	Amount paid for service rendered before 1st Jan. 1948	Total amount paid in 1948
1. Air India.			
(i) (Colombo-Karachi route)	13,75,000 0 0	1,25,000 0 0	15,00,000 0 0
(ii) (Madras-Trivandrum route)	17,215 6 8	5,556 12 3	22,772 2 11
(iii) (Bombay-Delhi-Bombay Calcutta route)	81,537 5 6	70,972 10 2	1,52,509 15 8
2. Air Services of India	18,441 5 7	5,559 15 0	24,001 4 9
3. Ambica Air Lines	21,724 4 10	777 2 6	22,501 7 4
4. Indian Overseas Airlines	23,645 12 6	14,902 10 0	38,548 6 6
5. Airways India Limited	2,99,090 13 0	..	2,99,090 13 0
6. Bharat Airways Limited	48,362 8 3	..	48,362 8 3
7. Deccan Airways Limited	53,294 0 0	20,089 8 0	73,383 8 0
8. Indian National Airways Limited.	1,66,661 0 0	..	1,66,661 0 0

STATEMENT II

Showing the weight of Air Mails carried on different routes by various Airways Companies during the period November 1947 to October 1948.

S. No.	Name of the Company	Route	Type of Aircraft used	Weight of mails carried	Remarks
				Kilograms	
1	Dutch K.L.M.	Eastbound		1463.6	
		Inward	Constellation	3469.1	
2	Air France	Westbound		606.5	
		Eastbound	Skymaster	1112.8	
3	Pak Airways	Karachi-Lahore-Delhi	Dakota	2399.5*	*Service operated only from September, 1948.
4	C.N.A.C.		Skymaster	3151.8	
5	Orient Airways	Karachi-Bombay (Southbound)	Dakota	7427.8	
		Eastbound	Do.	15101.2	Up to September 1948 only.
		Westbound	Do.	2606.3	
6	Air India-International	Bombay-London and return	Constellation	38323.2	Service operated from June 1948.
7	T.W.A.		Skymaster	24172.8	
8	Pan American	Eastbund	Constellation	6606.4	
		Westbound	D.C.4.	6133.4	
9	B.O.A.C.	Eastbound	York, Lancastrian	68673.3	
		Westbound	Hythe Constellation Plymouth	45392.5	
				Pounds	
10	Indian National Airways	Delhi-Karachi and return	Dakota	41699.6	
		Delhi-Lahore and return	Do.	47526.2	
		Delhi-Amritsar and return	Do.	24306.5	Upto August 1948.
		Delhi-Calcutta and return	Viking	18556.9	
		Calcutta-Rangoon & return	Do.	53202.1	
11	Deccan Airways	Hyderabad-Bangalore & return	Dakota	11658.9	Service suspended on 2nd July, 1948 and resumed on 16th October 1948.
12	Airways India	Delhi-Madras and return	Do.	46120.6	Do.
		Calcutta-Dacca and return	Dakota/Dove	8315.1	Service operated from July 1948.
		Bangalore-Calcutta & return	Dakota	30353.4	
		Calcutta-Madras and return	Do.	40495.8	
		Calcutta-Gauhati and return	Do.	123589.1	

S. No.	Name of the Company	Route	Type of Air craft used	Weight of mails carried	Remarks
				Pounds	
13	Air India	Calcutta-Bombay and return	Viking and Dakota	100602.5	
		Karachi-Colombo and return		510015.4	
		Bombay-Madras and return		17245.8	
		Bombay-Ahmd-Delhi & return		53144.5	
		Bombay-Delhi (non-stop) and return		65819.8	
		Madras-Trivandrum & return		15428.5	
14	Bharat Airways	Delhi-Calcutta and return (*via* Benares & Gaya)	Dakota	74192.0	
		Calcutta-Chittagong & return	Do.	2071.2	
15	Ambica Airlines	Bombay-Ahmedabad & return	Dakota	10781.9	
		Bombay-Amritsar & return		6330.0	Service operated from January 1948.
		Bombay-Bangalore & return		129.5	Service operated from October 1948.
16	Indian Overseas Airlines	Bombay-Nagpur-Calcutta and return	Dakota	29492.4	Service operated from February 1948.
		Lucknow-Nagpur and return	Do.	3243.2	
17	Air Services of India	Bombay-Karachi and return	Dakota and D.H. Rapide	17340.2	
		Bombay-Jamnagar & return		1630.1	
		Bombay-Bhuj and return		227.7	
		Jamnagar-Ahmedabad and return		26.7	
		Bombay-Ahmedabad and return		241.1	
		Jamnagar-Mandvi & return		609.2	Service operated from April, 1948.
		Bombay-Gwalior-Delhi & return		223.6	Service operated from August, 1948.

Shri R. K. Sidhva: Arising out of answer to part (a) by the Deputy Minister, may I know whether the Air India has received the largest share and whether that carriage included the foreign mail as well?

Shri Khurshed Lal: As I see from the statement, the amount paid to the Air India is the largest, but I am not in a position to say what the amount paid is for Air India-International.

Shri Deshbandhu Gupta: May I know, whether in view of the introduction of night mail service, the air mails will continue to be carried by the scheduled services as well or will be carried only by the night mail service?

Shri Khurshed Lal: Normally the night mail is sent by the night mail service and the day mail are sent by the day service.

Shri Deshbandhu Gupta: May I ask whether passengers are allowed by night service?

Shri Khurshed Lal: No.

Shri Deshbandhu Gupta: What are the reasons?

Shri Khurshed Lal: For reasons of safety. We have not yet been able to perfect the organisation to enable us to carry passengers by night services.

Shri Deshbandhu Gupta: May I know whether it is a fact that six other companies which were carrying air mail so far will be adversely affected and they have made a representation to Government that they should have been consulted in the matter of the night services before the arrangement was to be terminated.

The Honourable Mr. Rafi Ahmad Kidwai: Every company was given an opportunity to take the night air-mail service, but the terms that was offered by the company and were accepted were the lowest terms and without any guarantee for the weight.

Shri H. V. Kamath: Is there any proposal to reduce surcharge on air-mail letters so as to make the services more popular?

The Honourable Mr. Rafi Ahmad Kidwai: That matter is under consideration.

Shri Deshbandhu Gupta: Has the new company which carry the air-mail at night given any period of guarantee?

The Honourable Mr. Rafi Ahmad Kidwai: Six month's time.

Srijut Rohini Kumar Chaudhuri: Are passengers allowed to travel in the night air-mail?

The Honourable Mr. Rafi Ahmad Kidwai: No.

Shri Deshbandhu Gupta: Are Government satisfied that after the six months have elapsed the other companies will not be so adversely affected, that there will be some difficulty.

Mr. Speaker: Order, order.

Shri R. K. Sidhva: May I know whether the delivery at the centres when the air-mails arrive are expeditiously done?

The Honourable Mr. Rafi Ahmad Kidwai: Yes.

Textile Goods lying in various Military Depots

*161. **Shri R. K. Sidhva:** (a) Will the Honourable Minister of Industry and Supply be pleased to state whether it is a fact that textiles worth crores of rupees comprising piece goods, hosiery, yarn, ready-made clothes, etc., are lying at Dehu near Poona in the Military Depot?

(b) If so, what is the total cost of these articles and what steps have Government taken to dispose of them?

(c) Are similar kinds of textile goods lying in other parts of the country in Military depots?

(d) If so, what is their value and what are the reasons for the delay in their disposal?

(e) Do these goods belong to the Disposals Directorate or are they meant for army use?

(f) If they are meant for army use, for what period have they been lying in these depots and are they in good condition?

The Honourable Dr. Syama Prasad Mookerjee: (a) and (b). Yes. There are at present about Rs. 108.5 lakhs worth of textiles for disposal at Dehu.

Surplus textiles like other stores, continued to be disposed of in the usual way upto the end of September 1947 when a ban was imposed by Government on sales of surplus stores to enable the Ministry of Relief and Rehabilitation to utilise the stores for the relief and rehabilitation of refugees. Subsequently another embargo on sales was also imposed in February 1948 by the Ministry of Defence pending re-assessment of the requirements of the Army. Both the bans are still operative.

(c) and (d). Yes. Textiles of the order of about Rs. 3½ crores are also awaiting disposal in other military depots, but are also under the same embargoes.

(e) The stores belonged to the Army but were declared surplus to their requirements.

(f) Some of the stores were declared surplus not so long ago—others were declared surplus earlier. I am not in a position to state for how long the Army held the stores before they were declared as surplus. Some of the stores are used, and some unused.

Shri R. K. Sidhva: In view of what the Honourable Minister has stated that there is such a large quantity of goods, namely Rs. 108.5 lakhs in reply to parts (a) and (b) and nearly Rs. 3½ crores in reply to parts (c) and (d), may I know what steps have been taken to dispose of these goods and whether these goods are likely to be consumed in India or they are not of usable quality?

The Honourable Dr. Syama Prasad Mookerjee: As I have stated, Sir, there is a ban now on the sale of these textiles on account of what the Defence Ministry and the Ministry of Relief and Rehabilitation have done, but I am now discussing the matter with both these ministries. I have suggested that they should be in a position to let us know what exactly they require out of these stocks, so that the balance may be disposed of as early as possible.

Shri R. K. Sidhva: Is it not a fact that a reference was made to both these Ministries for the last one year and they have not responded despite the reminders sent by the Regional Commissioners of these disposals and may I know what is the reason?

The Honourable Dr. Syama Prasad Mookerjee: The reason is that the Ministries concerned thought that they would require them for their own purposes and they were reluctant to lift the embargoes.

Shri R. K. Sidhva: Does the Honourable Minister really feel that they do not require these classes?

The Honourable Dr. Syama Prasad Mookerjee: The answer is in the negative. Government will take necessary steps in the matter to see that the accumulated goods are disposed of soon.

Shri Biswanath Das: May I know whether the Honourable Minister could not find time to discuss conveniently with his colleagues in the course of these twelve months and come to a decision?

The Honourable Dr. Syama Prasad Mookerjee: I have found ample time...

Mr. Speaker: Order, order. Next question.

Shri H. V. Kamath: Are some of the surplus stores at Dehu lying exposed to the inclemencies of the weather or are they properly safeguarded against Sun and rain?

The Honourable Dr. Syama Prasad Mookerjee: They have been safeguarded as far as possible.

Dr. P. S. Deshmukh: Has the Honourable Minister ever given attention to what amount of loss the inefficiency of the Disposals Department has cost to the nation?

The Honourable Dr. Syama Prasad Mookerjee: There is no inefficienoy on the part of the Disposals Department at all.

Shri R. K. Sidhva: I only wanted to know whether these two Ministries have been contacted by the Honourable Minister to see that these losses are not caused to the country.

Mr. Speaker: He has said so. Next question.

LOCOMOTIVES FROM U. S. A.

*162. **Shri R. K. Sidhva:** (a) Will the Honourable Minister of Railways be pleased to state whether it is a fact that the United States of America have promised delivery of 300 'WP' (passenger) loocomotives ranging over a period of 12 months commencing from February 1949 to January 1950?

(b) If so, has any advice of the first shipment been received by the Railway Board in terms of the said agreement? If not, what are the reasons for the delay?

(c) Why was the order not distributed amongst various countries so as to have expeditious delivery of various types of locomotives?

The Honourable Shri N. Gopalaswami Ayyangar: (a) 800 'WP' locomotives have been ordered in North America. 200 of these are on order in Canada and 100 in the United States of America. The promised delivery of these locos ex-Works is from February 1949 to November 1949.

(b) As delivery, ex-Works, of the locos is to commence from February 1949, the question of advice of the first shipment does not arise.

(c) The decision to place the order in North Anerica was made after widespread enquiries had been made in other countries. Expeditious delivery was one of the principal considerations that lead to the order being finally placed in America.

Shri R. K. Sidhva: May I know whether it is a fact that some of the locomotives have actually arrived in Bombay?

The Honourable Shri N. Gopalaswami Ayyangar: Those loocmotives have arrived which related to orders which had been previously placed.

Shri R. K. Sidhva: How many are there and on what railways will they be distributed?

The Honourable Shri N. Gopalaswami Ayyangar: 13 BG and 33 MG locomotives have arrived in India since 1st April 1948. A further 126 BG engines are expected to be received by 31st March 1949.

Shri R. K. Sidhva: May I know whether one Col. Cantlie, an expert engineer, has been invited by the Government of India to discuss terms to manufacture engines in India? If that is so, what is the result and if that gentleman has arrived?

The Honourable Shri N. Gopalaswami Ayyangar: Col. Cantlie, is here on behalf of his own concern. There have been talks between him and the Railway Board. He has submitted his scheme which is under examination.

Shri H. V. Kamath: What, Sir, is the fine distinction between North America, Canada and the United States?

Mr. Speaker: Order, order.

Shri H. V. Kamath: Has any attempt been made to obtain locomotives from Czechoslovakia?

The Honourable Shri N. Gopalaswami Ayyangar: No particular negotiations were effected with Czechoslovakia but enquiries were made in a general way.

Shri H. V. Kamath: And with what result

The Honourable Shri N. Gopalaswami Ayyangar: With the result that it was decided that the better thing was to place the order in America.

Shri H. V. Kamath: What were the reasons for not placing orders with Czechoslovakia?

The Honourable Shri N. Gopalaswami Ayyangar: I do not think we reached the stage for considering any particular orders being placed in Czechoslovakia. I only said that enquiries were made in a general way.

Seth Govind Das: Besides these American Countries, were negotiations made with other countries?

The Honourable Shri N. Gopalaswami Ayyangar: Apart from the two parts of North America, enquiries were made in the United Kingdom and France and some other countries in Europe.

Seth Govind Das: May I take it that besides America, no other country was willing to supply us locomotives? And if so, did these negotiations result in any quotation of prices?

The Honourable Shri N. Gopalaswami Ayyangar: Yes, some orders have been placed in the United Kingdom. A small order has been placed in France also. No doubt quotations were obtained from that country.

Dr. P. S. Deshmukh: Has any locomotive been made so far in India?

The Honourable Shri N. Gopalaswami Ayyangar: Some locomotives have been manufactured in the Ajmer workshops.

Dr. P. S. Deshmukh: What does that 'some' amount to?

The Honourable Shri N. Gopalaswami Ayyangar: I am afraid I shall have to ask notice of that question. Anyhow, it is a small number.

Shri B. P. Jhunjhunwala: Arising out of the question, what offers were received from other countries? What was the difference in price, having regard to the same quality which we were having from America?

The Honourable Shri N. Gopalaswami Ayyangar: So far as the United Kingdom on the one hand and the United States and Canada on the other hand are concerned, the prices were more or less the same, but the determining consideration was the question of quick delivery. As we were assured of quicker delivery from America, a portion of the orders which had been previously placed in the United Kingdom had to be transferred to America and certain further orders were also placed there.

Shri B. P. Jhunjhunwala: What about the other countries—Czechoslovakia and others? What was the difference in price?

The Honourable Shri N. Gopalaswami Ayyangar: I do not think in the case of Czechoslovakia we reached the stage for obtaining quotations of prices.

Pandit Hirday Nath Kunzru: Has any thought been given to the question of getting engines from Australia?

The Honourable Shri N. Gopalaswami Ayyangar: I understand some investigation has been made.

Pandit Hirday Nath Kunzru: What is the result?

The Honourable Shri N. Gopalaswami Ayyangar: The result is that we have not yet reached a decision about placing orders there.

Associateship of Indian Agricultural Research Institute to Graduate Workers

†*163. **Shri Lakshminarayan Sahu:** Will the Honourable Minister of Agriculture be pleased to refer to the answer to part (e) of my starred question No. 1132 asked on the 1st April, 1948 and state whether Government have considered the question of extending the right of eligibility for the Associateship of the Indian Agricultural Research Institute to graduate workers in the Indian Council of Agricultural Research's schemes?

The Honourable Shri Jairamdas Doulatram: The question has been considered but a final decision has to await the decision arrived at by the last meeting of the Inter-University Board (the proceedings of which have not yet reached Government) as to whether the Diploma of the Institute is to be recognized as a University Degree.

Nutritive value of Sun-dried Rice and Par-boiled rice and storage improvements

†*164. **Shri Lakshminarayan Sahu:** (a) Will the Honourable Minister of Food be pleased to state what is the comparative nutritive value of (i) sun-dried rice and (ii) par boiled rice?

(b) What is the loss or gain if all rice in India is par-boiled or all sun-dried?

(c) Have Government called for reports from the Provincial Governments as to what saving they have been able to make with regard to storage improvement as promised by the Honourable Minister in his reply to a supplementary question raised on my Starred Question No. 1138 asked on the 1st April, 1948?

(d) Have Government gone into the question of starting grain elevators as promised in the reply to another supplementary question raised on the above-mentioned Starred Question?

The Honourable Shri Jairamdas Doulatram: (a) The term "sun-dried rice" used by the honourable member presumably refers to "raw rice". On this assumption the reply is that par-boiled rice is comparatively more nutritious than raw rice.

(b) Par-boiled rice gives a good out-turn on milling. At present 58 per cent. of the total production of rice is par-boiled. If the remaining 42 per cent. of raw rice is also par-boiled it is estimated that about 400,000 tons of extra rice would be available for distribution.

(c) The Provincial Governments were requested to send periodical reports. Reports received from U.P. and Ajmer indicate that losses have been reduced to 0·7 per cent. in the case of the former and to 0·9 per cent. in the case of the latter. Replies from other Provincial Governments are still awaited.

† Answer to this question laid on the table, the questioner being absent.

(d) The necessity of installation of grain elevators has been accepted in principle, and a scheme drawn up for the installation of the plant at Bombay port is under examination. The possibility of installing similar plants at Calcutta and Madras is also under consideration.

RENT DUE FROM TELEPHONE SUBSCRIBERS IN DELHI

*165. **Dr. V. Subramaniam:** Will the Honourable Minister of Communications be pleased to state whether it is a fact that there is a balance of nearly Rs. 20 lakhs due from Telephone subscribers as rent for Telephones and trunk call charges in Delhi District Telephone area, at present, *i.e.*, till the middle of December, 1948?

Shri Khurshed Lal (Deputy Minister for Communications): On 15th December, 1948, outstanding Telephone rental and Trunk call bills amounted to about Rs. 19 lakhs. It has since been reduced to about Rs. 14 lakhs on 1st January, 1949 and even of this, a sum of about 12½ lakhs represents dues from Government Departments, Civil and Military.

Shri R. K. Sidhva: May I know the reason for such a large amount which is due from the subscribers? May I also know when bills are issued after a subscriber calls to a particular station?

Shri Khurshed Lal: The honourable member must have noted that out of the Rs. 14 lakhs, about Rs. 12½ lakhs is due from Government departments. So the amount due from the public is only Rs. 1½ lakhs. Out of this sum Rs. 30,000 is irrecoverable because it is due from people who have gone to Pakistan. So considering the amount of bills every month, the honourable member will find that the amount is not excessive.

Dr. V. Subramaniam: What is the balance due from the people in Pakistan?

Shri Khurshed Lal: I said about Rs. 30,000.

Dr. V. Subramaniam: Has any arrangement been made for their recovery?

Shri Khurshed Lal: These are amounts due by private people, and I feel it will be rather difficult to realize them.

Mr. Tajamul Husain: Is not it a fact that Government takes deposits in advance? If so, how is it.....

Mr. Speaker: The honourable member should not argue. The honourable member wants to know if it is a fact that deposits are taken in advance?

Shri Khurshed Lal: No deposit is taken in advance for trunk call bills.

Shri Deshbandhu Gupta: What is the average monthly bill so far as the public is concerned in Delhi?

Shri Khurshed Lal: I will not be able to give separate figures for amount due from the public because bills are made both against the Government and the public.

Dr. P. S. Deshmukh: Is it due to these arrears that the telephones of the members of the Constituent Assembly have been cut off?

Shri Khurshed Lal: Some telephones have been cut off for non-payment of rents.

Sardar Hukam Singh: Would the Honourable Minister consider the advisability of sending in his list of arrears to the Income-tax Officer so that this amount may also be recovered with other taxes before properties are transferred as under the Ordinance in force?

Mr. Speaker: Order, order. That is a suggestion for action.

WAITING ROOMS IN POST OFFICES AND RECEPTIONISTS AT DELHI TELEPHONE DISTRICT OFFICE

*166. **Dr. V. Subramaniam:** (a) Will the Honourable Minister of Communications be pleased to state whether it is a fact that in almost all Post offices in the Indian territory, even in the District Head Post offices, where there are trunk telephones, no provision is made for waiting rooms for customers who go there for making trunk calls to different places?

(b) Is it a fact that even in New Delhi, there is no such provision and that there is no receptionist in the Delhi Telephone District office, Eastern Court from whom visitors may make enquiries?

Shri Khurshed Lal (Deputy Minister for Communications): (a) No waiting rooms are provided for customers coming to a Public Call Office for making trunk calls. Sitting accommodation for them is, however, provided in the verandahs or public hall. Where accommodation is available, waiting accommodation and other facilities will be provided.

(b) The above applies to Delhi also. In the Delhi Telephone District Office however there is a waiting room for visitors and a receptionist to attend to them.

Shri Deshbandhu Gupta: Will Government consider the desirability of doing so now in New Delhi at least?

Mr. Speaker: Order, order.

Dr. P. S. Deshmukh: Cannot the customers enjoy the shade of the trees standing outside in the compound in addition to the verandah?

Mr. Speaker: Order, order. Next question.

SUPPLY OF FOODGRAINS TO FAMINE AREAS

*167. **Pandit Mukut Bihari Lal Bhargava:** Will the Honourable Minister of Food be pleased to state what parts of India are at present famine-stricken and what steps are being taken to ensure supply of requisite quantities of foodgrains to such areas?

The Honourable Shri Jairamdas Doulatram: The affected areas are Gujerat, Saurashtra, Cutch and parts of Jodhpur and Ajmer-Merwara.

Taking into account the scarcity conditions prevailing in these areas, the local Administrations have stated their requirements of foodgrains for 1949 from the Centre and maximum possible supplies are being arranged. Grain will be distributed through ration shops and in some cases through relief Quota Shops and there is no question whatsoever of famine being allowed to spread in those areas in the sense that there will be failure of supplies for non-producers.

Pandit Mukut Bihari Lal Bhargava: What is the extent of the famine-stricken area in these places?

The Honourable Shri Jairamdas Doulatram: I am sorry I cannot give you the exact acreage.

Shrimati Dakshayani Velayudhan: Did Government get any information about the famine in Cutch?

The Honourable Shri Jairamdas Doulatram: Yes, Government have rseeived information about famine conditions in Cutch.

Shrimati Dakshayani Velayudhan: What is the total number of deaths due to famine?

The Honourable Shri Jairamdas Doulatram: There have been no deaths in Cutch due to famine so far as I know.

Shrimati Dakshayani Velayudhan: May I draw the attention of the Government to the report which appeared in *Jai Cutch* on November 20th, and which ran as follows:

"Two peasants died of starvation in the village of Don in Mandvi taluka."

Mr. Speaker: The honourable member is referring to a newspaper report.

Shrimati Dakshayani Velayudhan: The Government can refer to the report, Sir. It appeared in a local newspaper.

The Honourable Shri Jairamdas Doulatram: Government have no information.

Shri H. V. Kamath: Have these areas been declared as famine areas by Government or are they merely areas threatened by famine?

The Honourable Shri Jairamdas Doulatram: Technically only such areas are notified as famine areas where there are famine conditions and the other areas are scarcity areas and we are trying to see that the scarcity areas do not become famine areas.

Shi R. K. Sidhva: Has there been any winter rains in these areas?

The Honourable Shri Jairamdas Doulatram: No information has been received by the Government of India, at any rate not in the last two or three days. It might have been received in the States Ministry so far as Cutch is concerned.

Pandit Mukut Bihari Lal Bhargava: Is the scarcity confined to food or also cattle fodder?

The Honourable Shri Jairamdas Doulatram: Is the honourable member's question with regard to Ajmer-Merwara?

Pandit Mukut Bihari Lal Bhargava: My question relates to all the provinces mentioned.

The Honourable Shri Jairamdas Doulatram: I have not got the figures for all the provinces but I can give the figures for Ajmer-Merwara.

Shri T. T. Krishnamachari: What is the time-lag-when scarcity conditions come into being and the Government is made aware of it?

The Honourable Shri Jairamdas Doulatram: There is no time-lag. It depends upon the local administration when it contacts the Central Government.

Dr. V. Subramaniam: Is it the local Government that declares an area as a famine-stricken area?

The Honourable Shri Jairamdas Doulatram: It is the local administration which makes the declaration.

Seth Govind Das: Are arrangements being made in the famine areas, as far as cattle is concerned, to send them to other provinces?

The Honourable Shri Jairamdas Doulatram: Arrangements are being made. A large number of cattle have been sent from Cutch to other parts of India and a large quantity of fodder is being arranged for Cutch also.

Seth Govind Das: What about Gujerat?

The Honourable Shri Jairamdas Doulatram: So far as I know not, from Gujerat. The Government of Bombay do not want to send cattle from Gujerat if they succeed in making arrangements for fodder in Gujerat.

Shri H. V. Kamath: At what point does a scarcity area become a famine area?

The Honourable Shri Jairamdas Doulatram: It depends upon the local administration's judgment.

Famine Relief Measures in Ajmer-Merwara

*168. **Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable Minister of Agriculture be pleased to state what steps have been taken to relieve the famine conditions in Ajmer-Merwara and whether any arrangements have been made for ensuring the supply of fodder and cotton seeds to that area?

(b) If so, from what parts of India and in what quantities are such supplies being made?

(c) What facilities have been extended to the public to import these supplies?

(d) How many cattle have already migrated from Ajmer-Merwara and to which part of the country?

(e) What works do Government intend to start to afford employment to the agriculturists in the famine-stricken areas of Ajmer-Merwara and on what conditions?

(f) Have Government taken any steps to announce their policy to remit land revenue and to influence the Istimrardars not to recover rent in such parts of the province as are famine-stricken?

(g) How much loan do Government intend to advance by way of Taccavi to relieve the suffering peasantry and in what form?

The Honourable Shri Jairamdas Doulatram: (a) and (b). As measures have been taken by the Local Administration, the scarcity conditions are not likely to develop into actual famine. The Central Government have allotted sufficient quantities of foodgrains to Ajmer-Merwara.

Statements showing the quantities of foodgrains, fodder and concentrates which are to be supplied to Ajmer-Merwara are laid on the table of the House.

(c) It has been decided to assist Institutions and persons requiring large quantities of fodder to import it themselves by issuing to them Fodder (Ry.) Concession Rate Certificates.

(d) About 75,000 cattle have migrated from Ajmer-Merwara to villages in Rajasthan and Madhya Bharat. Arrangements have been made for grazing facilities being allowed by Governments of these areas.

(e) A statement indicating the test works which the Ajmer-Merwara Administration have decided to start is laid down on the table of the House. The test works, have, however, not attracted any large number of workers.

(f) Temporary orders for suspension of land revenue have been issued by the Sub-Divisional Officer, Ajmer and Extra Assistant Commissioner, Beawar, and proposals for remission of land revenue are under consideration.

The Istimrardars have been asked to take similar steps.

Action has also been taken to suspend execution of decrees against cultivators.

(g) Taccavi Loans to the extent of Rs. 2,45,000 are contemplated under the Taccavi Rules.

STATEMENT I

Allocations of foodgrains to Ajmer-Merwara

Month	Wheat	Rice	Other Grains	Total
				(Figures in tons)
November, 1948	1,500	1,500		3,000
December, 1948	2,000	—		2,000

Month	Wheat	Rice	Other Grains	Total
				(Figures in tons)
Ceiling import quota for 1949	24, 000	6, 000	6, 000	30,000
Allocations for January 1949 out of ceiling quota for 1940.	3,700	1,000	500	5,200

NOTE :—Out of the allocations for the period November, 1948 to January, 1949, nearly 5,000 tons are now in transit to Ajmer.

STATEMENT II

Quantities of Fodder and Concentrates which are to be Consigned to Ajmer-Merwara

(i)	Hay from Rajasthan	1, 00,000 mds.	
	from U. P.	1, 25, 000 mds.	(Approximately)
	from Madhya Bharat	30, 000 mds.	
	Total Hay	2, 55, 000 mds.	(Approximately)
(ii)	Karbi Kutti and Bhoosa from Rajasthan and Madhya Bharat	2, 00, 000 mds.	(Approximately)
(iii)	Grass from Madhya Bharat and Bhopal	* 75,000 mds.	(Approximately)
(iv)	Concentrates i.e., cottonseed etc. from C. P. and Berar Hyderabad and Madhya Bharat.	1, 50, 000 mds.	

* Negotiations are in progress

STATEMENT III

Test Works which the Ajmer-Merwara Administration have decided to start.

(i) Special repair to Kayar Tank in Ajmer Sub-collectorate.
(ii) Special repair to the feeder of the Jalia Tank in Beawar Sub-collectorate.
(iii) Special repair to Akhri Tank in Ajmer Sub-collectorate.
(iv) Goela-Bandanwara Road in Kekri Sub-Division.

INTRODUCTION OF NIGHT FLYING

*169. **Pandit Mukut Bihari Lal Bhargava:** Will the Honourable Minister of Communications be pleased to state whether the Government of India contemplate introducing night flying in India and if so, has any scheme been evolved therefor and have any definite routes been settled for the purpose?

Shri Khurshed Lal (Deputy Minister for Communications): It is the policy of the Government of India to encourage night flying on regular services to the maximum extent possible consistent with the requirements of safety. Already, during the fair weather season, sections of certain air routes are regularly flown by night, *e.g.*, Bombay-Delhi service *via* Ahmedabad and Jaipur, which is scheduled to arrive at Delhi at 8-40 P.M. From the 1st February 1949, an Indian airline is operating scheduled services wholly by night on the routes Delhi-Nagpur-Madras and Bombay-Nagpur-Calcutta for the carriage of surcharged mails and postal parcels and freight. No passengers are however allowed to be carried on these services and this bar will continue until the aerodromes are adequately equipped and staffed and navigational aids and other air route facilities provided.

Pandit Mukut Bihari Lal Bhargava: May I know whether these services are run by companies already existing or by new ones?

Shri Khurshed Lal: Does the honourable member refer to the new night services?

Pandit Mukut Bihari Lal Bhargava: Yes.

Shri Khushed Lal: They are being run by a company which was already in existence, and running on one of these routes.

Shri H. V. Kamath: Is it a fact that many of the safety devices and controls enforced by the United Kingdom Air Ministry have not been adopted on the Dakotas operated here?

Shri Khushed Lal: I require notice of that question.

Shri R. K. Sidhva: Have Government considered the question of revising the time schedule of the existing companies between Bombay and Delhi, Bombay and Calcutta, Bombay and Madras and *vice versa* so that planes leave at such an hour so as to arrive at those stations by 10 o'clock?

Mr. Speaker: It would be a suggestion for action.

Nationalisation of Civil Aviation

*170. **Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable Minister of Communications be pleased to state whether it is a fact that the Standing Advisory Committee to the Ministry of Communications recommended that with a view to implement the policy of Nationalisation of Civil Aviation, Government, to begin with, should operate one of the routes and if so, were any steps taken by the Government of India to implement this recommendation and if not, why not?

(b) Do Government propose to take any steps towards the implementation of the policy of Nationalisation of civil aviation?

The Honourable Mr. Rafi Ahmad Kidwai: (a) The reply to the first part of the question is in the affirmative. A Committee was set up to select a route on which an air service may be operated with an organisation owned and directed by the Government of India and to advise them on the details of the organisation necessary for the purpose and to give an indication of the economic possibilities of such operation. The Committee, while selecting a route, definitely advised that operation over a single route by Government would be a wholly uneconomical proposition. Government, therefore, decided not to pursue the proposal.

(b) The problem of nationalisation has to be considered in the light of Government's industrial policy in general. There is no intention of nationalisation of civil aviation in the near future.

Dr. P. S. Deshmukh: May I know what progress in civil aviation is contemplated to be achieved during the course of the next financial year?

An Honourable Member: A very general question.

Mr. Speaker: It is a very general question, that is the objection to it.

Dr. P. S. Deshmukh: Now that night flying is possible may I know whether the Honourable Ministers will make it a point to fly during the night so as to make more room available during the day?

Training of Pilots, Ground Engineers and Technicians

*171. **Pandit Mukut Bihari Lal Bhargava:** (a) Will the Honourable Minister of Communications be pleased to state the total number of pilots, ground engineers and technicians who are at present working on different routes and at different aerodromes?

(b) What is the percentage of Indian instructors, pilots, ground engineers, etc., as compared to non-Indians?

(c) Have Government opened any training centres in India for pilots, ground engineers, technicians, etc.?

(d) If so, where are those centres located and what is the annual recurring and non-recurring expenditure incurred on such training centres?

(e) Have Government arranged for the training of pilots, ground engineers and technicians, in foreign countries and if so, in which countries and what is the number of persons receiving such training in those countries?

(f) Have Government entered into any arrangement with any foreign countries for imparting training to Indian personnel in future, in ground engineering, piloting, etc., and if so, with which countries?

Shri Khurshed Lal (Deputy Minister for Communications): (a) and (b). I lay on the table a statement showing the total number of Pilots, Ground Engineers and other technical staff at present employed in Civil Aviation in India and the percentage of Indians among them.

(c) and (d). Two Civil Aviation Training Centres have been established, one at Saharanpur for the training of Radio Operators and Radio Technicians and the other at Allahabad for the training of Pilots, Ground Engineers, Aerodrome Officers and Control Operators. The recurring and non-recurring expenditure on these Centres is estimated respectively at Rs. 12·8 lakhs and 29.27 lakhs for 1948-49 and Rs. 39.06 and 45.43 lakhs for 1949-50.

(e) Five Indian scholars are at present receiving training in United States of America and two in United Kingdom in different branches of Civil Aviation. It is also proposed to send to United Kingdom a batch of five Pilots for training as Pilot Instructors at the Air Services Training Limited, Hamble, for employment as Junior Flying Instructors at the Civil Aviation Training Centre, Allahabad, on return.

(f) No, Sir. Arrangements for advanced training will be made in foreign countries according to requirements, in cases where facilities are not available in India.

Statement showing the total number of Pilots, Ground Engineers and Other Technical staff employed in Civil Aviation in India and the Percentage of Indians.

Name of the Post.	Number of Indians	Number of Non-Indians	Total.	Percentage of Indians
I. *Licensed Personnel*				
(i) Pilot 'B' License.	157	108	265	59
(ii) Pilot Instructors (including Check pilots)	32	20	52	62
(iii) Ground Engineers	327	48	375	87
II. *Government Staff*				
(i) Aerodrome Service Officers	102	..	102	100
Subordinates (Technical)	508	..	508	100
(ii) Aeronautical Inspection Services.				
Officers.	26	3	29	92
Subordinates (Technical)	22	..	22	100
(iii) Aeronautical Communication Service—				
Officers	157	4	161	97
Subordinates (Technical)	804	..	804	100

Shri H. V. Kamath: Is there any proposal to import foreign technicians here to train our Pilots and Engineers instead of incurring heavy expenditure on sending our men abroad?

Shri Khurshed Lal: No such proposal is under consideration.

Shri H. V. Kamath: It will be cheaper for our country. May I know the reasons for not considering this proposal?

Shri Khurshed Lal: The necessity for importing foreign technicians has not yet been felt.

Shri S. V. Krishnamoorthy Rao: What is the number that can be trained in each of these grades—Pilots, Ground Engineers—at Saharanpur and Allahabad?

Shri Khurshed Lal: The Saharanpur training centre was established on the 25th November 1946 and so far 330 Radio Operators and 207 Radio Technicians have been trained at that centre. 140 Operators and Technicians are now under training.

Shri S. V. Krishnamoorthy Rao: May I know how many can be trained every year in both the places?

Shri Khurshed Lal: As I said, 140 are under training.

Shri S. V. Krishnamoorthy Rao: Will that meet the needs of India?

Shri Khurshed Lal: We are doing the best that we can and we think it will meet the needs.

Shri S. V. Krishnamoorthy Rao: Is there any proposal to start new training centres?

Shri Khurshed Lal: No.

Shri R. K. Sidhva: Have any applicants been refused admission now?

Shri Khurshed Lal: Not that I know of.

Pandit Hirday Nath Kunzru: When will the arrangements being made for the training of Ground Engineers and Pilots at Allahabad be completed?

Shri Khurshed Lal: Already some trainees are being trained at Allahabad and we hope to start the training of commercial Pilots there in March.

SINDRI FERTILISERS FACTORY

†*172. **Prof. N. G. Ranga:** Will the Honourable Minister of Industry and Supply be pleased to state:

(a) how far the construction of the Sindri Fertilisers Factory has progressed;

(b) when Government expect to complete it;

(c) whether the necessary machinery is being imported; and

(d) when the actual work of production of fertilisers is expected to commence?

The Honourable Dr. Syama Prasad Mookerjee: (a) In broad terms, a little more than half the total work is complete. Among the important sections of work, the boiler-house portion of the power-house including the foundations and steel work structure is practically complete; the installation of boilers is going ahead satisfactorily. The erection of the turbine-house portion of the power-house is well advanced. The large building in the gas production section is complete and erection of plant is proceeding rapidly. Good progress is being made on the construction of buildings and erection of plant in other portions of the factory. The residential quarters for the factory staff and workers are almost complete with service installations.

(b) By early 1950.

(c) Some are being imported and some made in India.

(d) By early 1950.

† Answer to this question laid on the table, the questioner being absent.

IMPORT OF AGRICULTURAL MACHINERY FROM U.S.A.

†*173. **Prof. N. G. Ranga:** (a) Will the Honourable Minister of Agriculture be pleased to state whether any negotiations are being carried on with the Government of the U. S. A. and the manufacturers of agricultural machinery in America to import the necessary machinery to India?

(b) What different kinds of agricultural machinery are sought to be obtained?

(c) What is the response given by the Government of the U.S.A. and the American manufacturers?

The Honourable Shri Jairamdas Doulatram: (a) and (c). Government have explored the possibilities of obtaining agricultural machinery but no actual negotiations have been carried on either with the Government of U.S.A. or with the manufacturers of agricultural machinery.

(b) If the plans for reclamation of 6 million acres of culturable waste-land and for construction of 4,000 tubewells are sanctioned it will be necessary to obtain the following machinery from abroad:

(1) 1,000 heavy reclamation tractors with associated equipment.

(2) 10,000 standard agricultural tractors with associated equipment.

(3) 150 mechanical boring rigs with ancillary equipment and power plants.

GOVERNMENT'S TEXTILE CONTROL POLICY

†*174. **Prof. N. G. Ranga:** (a) Will the Honourable Minister of Industry and Supply be pleased to state the present Textile Control Policy of the Government of India?

(b) How are the present controls being implemented?

(c) What proportion of the total yarn being produced in mills is being supplied to handloom weaving industry?

The Honourable Dr. Syama Prasad Mookerjee: (a) The present Textile control Policy of the Government of India involves fixation of *ex*-mill prices by the Government of India, allocation of cloth and yarn to the provinces and States in accordance with quotas fixed by the Government of India, purchase of cloth and yarn from the Mills against such quotas by the nominees of the provincial and State Governments, distribution of cloth and yarn through licensed trade channels or through co-operative societies under the control of the provincial or the State Government and fixation of retail prices by the provincial or the State Government within a maximum fixed by the Government of India. It also includes certain measures of technical control over production by the Mills.

(b) I would invite the honourable member's attention to the reply given by me to parts (a) to (c) of Shri M. Ananthasayanam Ayyangar's question No. 78 on the 2nd February 1949.

(c) Of the total yarn produced by Mills in India the surplus left after meeting the requirements of the composite Mills is available for supply to the handloom, powerloom and other industries. The quantity available for the handloom and the powerloom industries is about 21.7 per cent of the total yarn production.

† Answer to this question laid on the table, the questioner being absent.

CONSTRUCTION OF IRON AND STEEL FACTORIES

†*175. **Prof. N. G. Ranga:** Will the Honourable Minister of Industry and Supply be pleased to state:

(a) whether Government have chosen the place to locate the two proposed iron and steel factories;

(b) whether they have placed orders for the manufacture and supply of the necessary machinery for these factories; and

(c) when they propose to start the contruction of these factories?

The Honourable Dr. Syama Prasad Mookerjee: (a) to (c). Government appointed in the latter half of last year three expert consulting firms of international reputation to make a preliminary survey and report on two alternative schemes for the establishment of one plant of one million ton capacity and two plants each of half a million ton capacity. The Consultants have completed the survey and their reports which, *inter alia*, will contain recommendations on possible sites for the location of the plants, the machinery required, etc., are awaited in the next few days. Government will take further steps on receipt of the reports.

MEASURES TAKEN TO GROW MORE FOOD

*176. **Shri Upendranath Barman:** (a) Will the Honourable Minister of Agriculture be pleased to state the figures in the years 1947 and 1948 respectively of (i) the net area sown; (ii) the current fallows; (iii) cultivable waste other than fallows in India; and (iv) the total area of current fallows and cultivable waste brought under cultivation province by province?

(b) What steps are being taken by the Central and Provincial Governments for growing more food?

The Honourable Shri Jairamdas Doulatram: (a) Information for 1947-48 and 1948-49 has not yet been received from the Provinces. As soon as it is received it will be placed on the table.

(b) The Central and Provincial Governments are conducting several schemes for increasing food production in the country. Under the Constitution, Agriculture being a Provincial subject, the action of the Central Government has been confined to coordination and assistance where Provinces need it.

The Provinces are financing a large number of schemes for which the Central Government makes a small grant out of its limited funds. These schemes are of the following types:

I. *Grow More Food Schemes (Works).*—

(1) Construction of new wells and improvement of old wells including re-excavation; deepening, boring and installation of tube and water lifting appliances.
(2) Irrigation tube wells and projects.
(3) Pumping installations.
(4) Tanks and channels.
(5) Land improvement works such as (a) Drainage works, (b) Contour bunding works, (c) Clearence and reclamation.

II. *Grow More Food Schemes (Supply).*—

(1) Composts.
(2) Oil cakes.
(3) Ammonium Sulphate.
(4) Superphosphate, bonemeal, or other fertilizers.
(5) Supply of other manures such as fish manure, green manure.
(6) Improved cereal seeds.

† Answer to this question laid on the table, the questioner being absent.

III. *Grow More Food Schemes (Service).*—

Staff directly and wholly engaged for Grow More Food Schemes.

IV. *Grow More Food Schemes (Miscellaneous).*—

(1) Pest control measures.

(2) Measures for preventing decrease of food production otherwise imminent *e.g.*, making available seeds other than improved seeds, iron and steel for manufacture of implements at places and times where shortage prevails.

In 1947-48, an amount of Rs. 2 crores was given as grant to Provinces and Rs. 1.36 crores as loan; and Rs. 3·88 crores has been sanctioned as grant and Rs. 7 lakhs as loan in 1948-49.

In addition, the Tractor Organisation of the Central Government is assisting the Provinces and States in reclaiming culturable waste. Last year, an area of roughly 33,000 acres has thus been reclaimed. A programme of reclaiming 1,10,000 acres this year is in hand. Besides the area which was reclaimed from waste, 29,327 acres were mechanically cultivated for the Provinces.

Mr. Speaker: As there has been a thread-bare discussion on this subject for two days in the House I do not propose to allow many questions on this.

Shri Upendranath Barman: In their attempts to grow more food, have the Government both at the Centre and in the Provinces considered the question of soil conservation on a wider scale?

The Honourable Shri Jairamdas Doulatram: The Central Government sent five of its officials for studying soil conservation in America and England. They have recently come and they were asked to go round the country to different Provinces and see how far they could be helpful and what exactly the conditions were. Some of the Provinces, especially Bombay and U.P., have their own soil conservation staff. But I do not think that the staff in any of the Provinces is adequate.

Shri Upendranath Barman: Have Government made any attempt to secure data, Province by Province, as to how far Provinces have proceeded with this soil conservation policy?

The Honourable Shri Jairamdas Doulatram: It has not been possible to do it on a large scale except for this brief survey which was made by the five officials who have recently come. But we can have the whole survey made with the co-operation of Provincial Governments and by the use of additional staff.

Dr. Mono Mohan Das: May I know what steps are proposed to be taken by Government to prevent lands which are usually cultivated but which are going into waste lands due to the poverty of cultivators and want of bullocks?

The Honourable Shri Jairamdas Doulatram: I think the best step would be for the Provincial Governments to give large *taccavi* loans to the needy agriculturists.

Dr. Mono Mohan Das: With regard to this may I know.....

Mr. Speaker: I think we are going into the provincial sphere.

Shri Mihir Lal Chattopadhyay: May I know whether the Honourable Minister can supply us the names of the Provinces which have not been able to utilise the grants and loans offered by the Central Government?

The Honourable Shri Jairamdas Doulatram: Yes, I will supply them.

IMPORT OF FOODSTUFFS IN 1949

†*177. **Shri S. Nagappa:** Will the Honourable Minister of Food be pleased to state whether there is any plan to import food from foreign countries in 1949; and, if so, when, what quantity and at what rate?

The Honourable Shri Jairamdas Doulatram: It is proposed to import four million tons during the year 1949. Purchases will be spread over the whole year and the rates will be determined according to the conditions prevailing from time to time.

METHODS TO INCREASE PRODUCTION OF PADDY

*178. **Dr. V. Subramaniam:** (a) Will the Honourable Minister of Agriculture be pleased to state the total number of additional acres of land brought under cultivation to grow paddy in different parts of the Indian Union during the year 1948?

(b) What are the steps recommended or proposed to be recommended by the Indian Agricultural Research Institute, to increase the yield of paddy per acre?

(c) Were any steps taken to test the soils on the spot and recommend proper manures to the cultivators?

The Honourable Shri Jairamdas Doulatram: (a) An additional area of 5,86,950 acres was brought under paddy cultivation during 1948. A statement showing the additional acreage in each province is placed on the table of the House.

(b) The measures, based on the researches of the Indian Agricultural Research Institute, which this Ministry would recommend and which have been recommended for increasing paddy yields, are generally as follows:

(1) Proper levelling of the land;

(2) Ploughing up of the land when dry before the monsoon showers;

(3) Growing of leguminous crop during the interval after harvesting of the paddy and before the next sowing;

(4) Deep ploughing in case there are weeds. Application of nitrogenous manures in any form at the rate of 30 to 35 lbs. nitrogen per acre. Green manuring should however be preferred to other manures.

(5) Application of phosphatic manures like bonemeal which has been found beneficial in several places.

(c) The testing of soils on the spot is done by the Provincial Departments of Agriculture through their Agricultural Chemists, and the help of the Indian Agricultural Research Institute, who analyse the soil and recommend the proper type of manures, is sought. Considerable amount of research work has been done on soil analysis and the effect of manures and fertilisers on the yields of paddy. The recommendations mentioned in answer to part (b) of the question are based on thes researches. The results are known to the Provincial Departments of Agriculture who are responsible for bringing them to the notice of the cultivators.

† Answer to this question laid on the table, the questioner being absent.

Statement showing Province-wise the additional acres of land brought under paddy cultivation during the year 1948.

Name of Province	Acreage (in acres)
1. United Provinces	28,868
2. Bihar	13,450
3. West Bengal	747
4. Coorg	087
5. East Punjab	...
6. Bombay	392
7. Ajmer-Merwara	...
8. Orissa	950
9. C.P. and Berar	23,836
10. Delhi	...
11. Madras	5,00,000
12. Assam	18,000
Total	5,86,950

Dr. Mono Mohan Das: What are the chemical fertilisers which are manufactured in this country or which are going to be manufactured in the proposed Sindri Fertiliser Factory?

The Honourable Shri Jairamdas Doulatram: Largely it is ammonium sulphate, and also some superphosphates.

Dr. V. Subramaniam: What are the measures taken by the Government to encourage the cultivators to produce manure so that there may not be any waste of cow-dung and other farmyard manures?

The Honourable Shri Jairamdas Doulatram: The Provincial Governments have been asked to take all the possible steps.

Mr. Tajamul Husain: We are and we claim to be an agricultural country...

Mr. Speaker: What information does the honourable member want? He seems to be arguing.

Mr. Tajamul Husain: No, Sir, I am not arguing. May I go on in my own way?

Mr. Speaker: He may ask for information.

Mr. Tajamul Husain: The information that I want is this. Will Government be pleased to tell us the reason why we import foodgrains from outside since we are known to be an agricultural country in the world?

Mr. Speaker: Order, order.

PETROL TO VISITORS OF JAIPUR SESSION OF INDIAN NATIONAL CONGRESS

†*179. **Shri Lakshminarayan Sahu:** (a) Will the Honourable Minister of Transport be pleased to state whether it is a fact that any person from Delhi who wanted to attend the Jaipur Session of the Indian National Congress in December 1948 was given 24 gallons of petrol?

(b) If so, were these instructions given by Government?

(c) Do Government propose to give the same facilities to other political parties also?

The Honourable Shri N. Gopalaswami Ayyangar: (a) Yes. Having regard to the improved petrol supply position and the importance of giving relief to

† Answer to this question laid on the table, the questioner being absent.

rail transport, the Provincial Rationing Authority, Delhi, issued petrol rations ranging from eight to thirty gallons to intending visitors to the Jaipur Session of the Indian National Congress, who wanted to travel by road.

(b) No. The Provincial Rationing Authority has the necessary powers to deal with such cases on their merits.

(c) As explained in reply to part (a) of this question, the facilities were not given on political grounds. The question, therefore, does not arise.

DEVELOPMENT OF A DEEP SEA PORT BETWEEN COCHIN AND MORMUGAO

*180. **Shri B. N. Munavalli:** Will the Honourable Minister of Transport be pleased to state whether Government propose to place on the table of the House a copy of the report of the West Coast Major Port Development Committee regarding the question of a deep sea port between Cochin and Mormugao?

The Honourable Shri N. Gopalaswami Ayyangar: The report has not yet been received; the question of placing it on the table of the House will be considered after the report is received.

Shri S. V. Krishnamoorthy Rao: What are the reasons for the delay?

The Honourable Shri N. Gopalaswami Ayyangar: The fact is that certain investigations have been ordered at the request of this Committee and they will take some time. Pending the completion of those investigations the Committee has suspended its sittings.

Shri B. N. Munavalli: When is the report expected to be received?

The Honourable Shri N. Gopalaswami Ayyangar: It is difficult to say. One report, after investigation, is expected to be received by about April or May. The other will be received only towards the end of the year. We cannot say exactly when the Committee will report.

Shrimati G. Durgabai: May I know from the Honourable Minister whether the construction of a port at Cocanada is also included in the terms of reference of this Committee?

The Honourable Shri N. Gopalaswami Ayyangar: This relates to the West Coast ports and Cocanada is not amongst their terms of reference.

MODERN MACHINERY FOR COAL MINES

†*181. **Shri S. Nagappa:** (a) Will the Honourable Minister of Industry and Supply be pleased to state the method generally adopted in the coal mines of our country to mine underground coal?

(b) Is there any scheme to introduce modern mechanical means of mining coal?

(c) If so, what would be the approximate cost of implementing the scheme?

(d) What quantity of coal is expected to be produced during a quarter year by the use of modern mechanical means of mining?

The Honourable Dr. Syama Prasad Mookerjee: (a) The method generally adopted is known as the Pillar and Stall method.

(b) Underground mining by modern mechanical means is being gradually introduced in some collieries. Introduction of mechanical methods on a large scale depends not only upon the availability of mining machinery but also upon skilled personnel to operate the plant and machinery. Measures are in hand to impart technical training to colliery workers and other supervisory staff, and progress in mechanising mines will be achieved by stages.

† Answer to this question laid on the table, the questioner being absent.

(c) It is not possible at present to frame an estimate of the expenditure that may become necessary.

(d) Until a fair degree of mechanisation has been achieved an assessment of the output of coal is not possible.

*182 [WITHDRAWN]

POST AND TELEGRAPH OFFICES IN ORISSA CIRCLE

†*183. **Shri Yudhishthir Mishra:** (a) Will the Honourable Minister of Communications be pleased to state the number in Orissa Circle of (i) departmental Telegraph Offices; (ii) combined Post and Telegraph offices; and (iii) Post Offices converted into combined Post and Telegraph offices during the last three years?

(b) Are Government aware of the public demand for the conversion of Kantabanjee, Titlagarh, Khariar Road, Deogarh and Brajraj Nagar Post Offices in Orissa Circle into combined offices?

(c) If so, has the question of their conversion been taken up? Since how long is the matter pending consideration and when may decisions in respect of each of the above offices be expected to be taken?

Shri Khurshed Lal (Deputy Minister for Communications): (a) (i) One.

(ii) 78.

(iii) Nil, but one new combined office has been opened.

(b) Yes.

(c) The cases have been under examination by the Head of the Circle concerned for about two years and the amount of guarantee required in each case is being worked out. The Postmaster-General is being asked to expedite final decision.

GAZETTED POSTS IN DIFFERENT POSTAL CIRCLES

†*184. **Shri Yudhishthir Mishra:** Will the Honourable Minister of Communications be pleased to state the total number of Gazetted posts in different postal circles in the (i) Postal Branch; (ii) Telegraph Branch; and (iii) Telephone Branch?

Shri Khurshed Lal (Deputy Minister for Communications): (i) 288.

(ii) 405.

(iii) 209.

POSTS OF SUPERINTENDENTS OF POST OFFICES

†*185. **Shri Yudhishthir Mishra:** Will the Honourable Minister of Communications be pleased to state:

(a) the total number of posts of Superintendents of Post Offices and Royal Mail Service in India;

(b) the total number of such posts in Orissa Circle.

(c) the total number of departmental officers who have been selected and placed in the approved list for promotion to the posts of Superintendents of Post Offices and Royal Mail Service; and

(d) the total number of such selected departmental officers allotted to Orissa Circle?

† Answer to this question laid on the table, the questioner being absent.

Shri Khurshed Lal (Deputy Minister for Communications): (a) 111.

(b) Four.

(c) 75.

(d) One.

OFFICE AND RESIDENTIAL ACCOMMODATION TO POSTAL INSPECTORS IN ORISSA CIRCLE.

†*186. **Shri Yudhishthir Mishra:** Will the Honourable Minister of Communications be pleased to state:

(a) the amount of house rent given to Postal Inspectors in Orissa Circle for providing accommodation for their offices; and

(b) whether Government propose either to raise the amount according to conditions obtaining in different localities or to consider the question of providing office and residential accommodation to Postal Inspectors in the same way in which accommodation for office and residence is provided to Superintendents of Post offices?

Shri Khurshed Lal (Deputy Minister for Communications): (a) Rupees five per month.

(b) No.

RAISING CERTAIN POST OFFICES IN ORISSA CIRCLE TO SELECTION GRADE OFFICES

†*187. **Shri Yudhishthir Mishra:** Will the Honourable Minister of Communications be pleased to state whether the question of raising the status of the Baripada, Bargarh, Balangir and Aska Post Offices in Orissa Circle, to selection grade offices has been taken up by Government, and if so, when and with what result?

Shri Khurshed Lal (Deputy Minister for Communications): There are certain standards to be fulfilled for raising the status of a post office to a selection grade office. Government will, of course, consider the cases mentioned by the honourable member along with any others when any of them reaches the prescribed standards

METRE GAUGE RAILWAY LINE BETWEEN RANGAPARA AND TEZPUR

*188. **Srijut Rohini Kumar Chaudhuri:** (a) Will the Honourable Minister of Railways be pleased to state whether it is a fact that there has been a persistent demand to dismantle the T. B. Railway which runs between Rangapara North and Tezpur Town and to construct a metre gauge line up to Tezpur and if so, what action, if any, are Government taking in this matter?

(b) Are Government aware that the public would be content to have a regular motor service for carrying passengers and mails from Rangapara to Tezpur and *vice versa* until such time as is required to construct a metre gauge railway line of Assam Railways?

The Honourable Shri N. Gopalaswami Ayyangar: (a) I would invite the attention of the honourable member to the reply given by the Honourable Dr. John Matthai on 25th February, 1947 to his question No. 596. Under the Agreement, Government are not in a position to purchase the Tezpur-Balipara Railway before 1st September 1952, and as such the question of converting the line into Metre Gauge does not arise at present.

(b) Government have no information on the subject.

Srijut Rohini Kumar Chaudhuri: May I know, Sir, if representations have been received since 1947 for reconsideration of the question?

† Answer to this question laid on the table, the questioner being absent.

The Honourable Shri N. Gopalaswami Ayyangar: The question has been considered and reconsidered and as the honourable member knows himself we have not been able to modify the decision which we had already taken on the matter.

Srijut Rohini Kumar Chaudhuri: May I refer the Honourable Minister to a reply given on the floor of this House in 1946 when it was stated that this Railway has been included in the five years' programme and that for five years the Railway could not be taken out of this private company and that after five years the Government will have a metre gauge there?

The Honourable Shri N. Gopalaswami Ayyangar: As a matter of fact, this line would fall due for purchase by Government, if Government decide to do so, somewhere about 1952, and meanwhile the question is being investigated as to whether it could be converted into a metre gauge line after we had been able to purchase it.

Begum Aizaz Rasul: As the word "T. B." is connected with a very virulent disease, may I know whether Government considers the necessity of changing the name of the railway from "T. B." to something else?

Mr. Speaker: Order, order.

REDUCTION IN THIRD CLASS FARES AND CONSTRUCTION OF NEW THIRD CLASS BOGIES

*189. **Srijut Rohini Kumar Chaudhuri:** (a) Will the Honourable Minister of Railways be pleased to state whether the attention of the Government has been drawn to the news item appearing in the *Hindustan Times* dated New Delhi the 14th January, 1949 under the caption "More passengers in First Class today"?

(b) Is it a fact that class III fares have not been reduced?

(c) When are the new bogies for class III being made ready and pending their construction do Government propose to convert old inter class bogies into third class?

(d) Has the system of reservation of seats for third class passengers been introduced and if not, when is it likely to be introduced?

The Honourable Shri K. Santhanam: (a) Yes.

(b) The fare for Class III has not been reduced.

(c) A few coaches of the improved type of Class III have been placed in service during this month and others will follow. There is no proposal to convert old Inter Class bogies into Class III.

(d) Arrangements have been made for setting apart one compartment in each long distance mail or express train for Class III passengers travelling 300 miles or over. Some Railways are now experimenting also with reservation of seats for Class III on certain trains and its extension will depend on the success or otherwise of these experiments.

Shri H. V. Kamath: Is the Minister aware, Sir, that under the new dispensation introduced since January 1st 1949 there is only standing room in III class, sitting room in II class, and sleeping room only in I class and that too many of the bogies going vacant, and this has resulted in considerable hardship to passengers?

The Honourable Shri K. Santhanam: So far as the new dispensation, as the honourable member calls it, is concerned the Class III has not been affected at all; the position remains the same as before January 1st 1949. As for the other classes we are making the maximum efforts to provide as comfortable accommodation as possible.

Seth Govind Das: Is it not a fact that on account of this new classification the second class and inter-class passengers are now travelling in second class and that first class bogies are found generally vacant?

The Honourable Shri K. Santhanam: Our information is to the contrary. There are more passengers travelling in Class I now than before.

Seth Govind Das: But is it not a fact that the number of coaches of first class are more than necessary and that there should be more second class coaches than first class ones?

The Honourable Shri K. Santhanam: The matter is under constant examination. It is too early to say anything as the experiment started only on 1st January 1949.

Seth Govind Das: How many new type of third class coaches have been put on the lines and how many per month are expected to be put?

The Honourable Shri K. Santhanam: 100 coaches have been ordered from the Hindustan Aircraft Factory. A few coaches have been received and put on the Grand Trunk Express. Others will be coming.

Pandit Hirday Nath Kunzru: Is it a fact that owing to the alterations that have been introduced, travelling in Class I on certain lines is becoming as uncomfortable as travelling in Class II previously was?

The Honourable Shri K. Santhanam: Under the new arrangement the Class I represents somewhere between the old I Class and the old II Class, and therefore the accommodation in the new Class I is certainly a little inferior and it was intended to be a little inferior to the old I Class.

Seth Govind Das: Sir, one of my questions has remained unreplied. I wanted to know how many new type of coaches of Class III are expected to be put on the lines every month.

The Honourable Shri K. Santhanam: I would like to have notice of the question.

Shrimati Dakshyani Velayudhan: Is the Government aware of the fact that passengers who travel by Second Class are not getting a proper return on what they pay?

Mr. Speaker: It is a matter of opinion.

Shri R. K. Sidhva: The Honourable Minister stated just now that 100 new Third Class coaches have been received from the Hindustan Construction Company and they have been put on the Grand Trunk Express. May I know how many have been put on the Grand Trunk Express and whether they have been distributed in various Railways?

The Honourable Shri K. Santhanam: I stated that 100 have been ordered and a few have been received and put on the Grand Trunk Express.

Shri R. K. Sidhva: How many have been received?

The Honourable Shri K. Santhanam: A few.

Shri R. K. Sidhva: A few means what? What is the number?

The Honourable Shri K. Santhanam: I require notice of that question.

Shri L. Krishnaswami Bharathi: Is it not a fact that the width of Second Class compartments has been shortened by one-half and that Government have received a number of complaints from passengers that they are not able to sleep?

The Honourable Shri K. Santhanam: It is true that in the South Indian Railway the Second Class compartments have been reduced in width to the

level of the Inter Class which is the new Class two. When I went to Madras recently, I enquired into the matter and it has been arranged to give better seats hereafter.

Shri L. Krishnaswami Bharathi: Regarding reservation of seats, may I know in what railways reservation of seats for Class III has been introduced? Is it not a fact that individual seats are not reserved but only carriages are reserved?

The Honourable Shri K. Santhanam: On some Railways individual seats are reserved. On others, some compartments are reserved. Each Railway is trying to experiment in order to find out which sort of reservation will be most convenient to the passengers.

Shri L. Krishnaswami Bharathi: May I know the Railways on which individual seats are reserved for Third Class passengers?

The Honourable Shri K. Santhanam: I would like notice of that question.

Babu Ramnarayan Singh: What are the considerations which have led Government to introduce this new classification?

The Honourable Shri K. Santhanam: These considerations have been under discussion since 1937. I think we shall be able to make them clear during the Railway Budget debate.

श्री गोकुल भाई दौलत राम भट्ट : क्या मंत्रि महाशय को यह मालूम है कि तीसरे दर्जे के जो डिब्बे अभी बने हैं उनमें एक तरफ एक दरवाजा और दूसरी तरफ दूसरा दरवाजा है। यानी जब गाडी प्लेटफार्म पर खडी होती है तो तीसरे दर्जे के डिब्बे का केवल एक ही दरवाजा रहता है जिससे आने जाने में बहुत दिक्कत रहती है।

Shri Gokulbhai Daulatram Bhatt: Is the Honourable Minister aware of the fact that in the new third class bogies there are only two doors on each side, *i.e.*, when the train stands on the platform, there is only one door to enter and get out of the III class compartment which entails hardship?

Mr. Speaker: I am afraid these are all arguments and I do not propose to allow any more questions. The honourable members may make out their points at the time of the Railway Budget.

Srijut Rohini Kumar Chaudhuri: Only one question, Sir. What class fares are taken from those passengers who actually travel on the roof of the compartments—are they ticketless travellers?

APPOINTMENT OF ASSISTANT DIRECTOR OF AIR TRANSPORT

*190. **Srijut Rohini Kumar Chaudhuri:** (a) Will the Honourable Minister of Communications be pleased to state whether the attention of Government has been drawn to a letter appearing in the *Hindustan Standard* published in Calcutta on 6th December 1948 under the caption "Irregular Appointment"?

(b) Is it a fact that names of four candidates were sent up by the Federal Public Service Commission as suitable for appointment as Assistant Director of Air Transport in Operational or Administrative capacity?

(c) Is it a fact that none of these persons recommended by the Federal Public Service Commission was appointed but some other person not selected by the Commission has been appointed without reference to the Commission?

Shri Khurshed Lal (Deputy Minister for Communications): (a) Yes, Sir.

(b) No Sir. As is the normal practice, only one candidate was recommended by the Federal Public Service Commission for the post.

(c) No. The person recommended by the Federal Public Service Commission was permanently appointed to the post. After some time, the post

become temporarily vacant and an *ad hoc* arrangement was made to fill it without reference to the Commission. As the vacancy continued longer than was first expected, the Commission have been requested to say whether there is any candidate in their list considered by them suitable for appointment to the vacancy.

Shri H. V. Kamath: Is the *ad hoc* arrangement going to last for a long time?

Shri Khurshed Lal: No. As I have already said, we have asked the Commission whether they have got on their list any other candidate who can be appointed.

Shri H. V. Kamath: When did Government ask the Commission?

Shri Khurshed Lal: I would like to have notice of that question.

EFFECT OF GOVERNMENT'S ANNOUNCEMENT ON EMOLUMENTS OF RAILWAY RUNNING STAFF

†*191. **Prof. Shibban Lal Saksena:** Will the Honourable Minister of Railways be pleased to state whether Government are aware that about 55 per cent. of the Running staff of the Indian Railways will be actual losers as a result of their announcement dated 14th December 1948 in their total emoluments as compared to what they were getting before?

The Honourable Shri K. Santhanam: No. The Government do not think any section of the Running Staff will be actually loser while the total emoluments of the vast majority of such staff will increase considerably.

† Answer to this question laid on the table, the questioner being absent.

Monday
7th February, 1949

THE CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE) DEBATES

(PART II —PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Official Report

70

Volume I, 1949

(1st February, 1949 to 23rd February, 1949)

Fourth Session

OF THE

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

1949

सत्यमेव जयते

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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE) DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Monday, 7th February, 1949.

The Assembly met in the Assembly Chamber of the Council House at a Quarter to Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

QUESTIONS AND ANSWERS

(See Part I)

11-40 A.M.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF INDIAN STANDARDS INSTITUTION

The Honourable Dr. Syama Prasad Mookerjee (Minister for Industry and Supply): Sir, I beg to lay on the table a copy of the Annual Report* of the Indian Standards Institution for the year ending 31st March, 1948.

NOTIFICATION UNDER DESTRUCTIVE INSECTS AND PESTS ACT, 1914

The Honourable Shri Jairamdas Doulatram (Minister for Food and Agriculture): Sir, I beg to lay on the table a copy of Notification No. F-3-5(2)/46-PPS dated the 27th December, 1948, under Section 4D of the Destructive Insects and Pests Act, 1914.

No. F. 3-5 (2)/46-PPS.

GOVERNMENT OF INDIA

MINISTRY OF AGRICLUTURE

New Delhi, the 27th December, 1948

NOTIFICATION

In exercise of the powers conferred by sections 4A and 4D of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government is pleased to direct that the following further amendments shall be made in the Notification of the Government of India in the late Department of Education, Health and Lands No. F. 16-3/43-A, dated the 28th March, 1944, namely:—

1. In the said notification:

1. In the Preamble, for the words and figures 'to prohibit, with effect from the 1st May, 1944, the transport from the Province of Madras' the words and figures "to prohibit the transport, with effect from the 1st of May, 1944 from the Province of Madras and from the 1st of February, 1949, from the Province of Coorg," shall be substituted.

2. For clause (c) the following clause shall be substituted, namely:—

"(c) by rail or inland steam vessel unless the consignment is accompanied by a certificate in the form set forth in the Second Schedule hereto annexed and signed by the authority specified therein."

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* Not printed in these Debates. Copy placed in the Library of the House—*Ed. of D.*

II. In the Second Schedule to the said notification, for the words "The above certificate should be signed by the Entomologist to Government Madras, Coimbatore, or such other officer as may be authorised by the Director of Agriculture, Madras, in this behalf" the following Note shall be substituted, namely :—

"*Note* : The above certificate should be signed (a) in Madras, by the Entomologist to the Government of Madras, or such other officer as may be authorised by the Director of Agriculture, Madras, in this behalf.

(b) in Coorg, by the Director of Agriculture, Coorg, or such other officer as may be authorised by the Chief Commissioner, Coorg, in this behalf."

S. BASU, Joint Secy.

ELECTION TO NATIONAL FOOD AND AGRICULTURE ORGANISATION LIAISON COMMITTEE

The Honourable Shri Jairamdas Doulatram (Minister for Food and Agriculture): Sir I beg to move:

"That this Assembly do proceed to elect in such manner as the Honourable the Speaker may direct five members to serve for a period of three years on the National Food and Agriculture Organisation Liaison Committee constituted under the Resolution of the Government of India in the Ministry of Agriculture, No. F. 16-72/47-Policy, dated the 8th November, 1948."

Mr. Speaker: Motion moved:

"That this Assembly do proceed to elect in such manner as the Honourable the Speaker may direct five members to serve for a period of three years on the National Food and Agriculture Organisation Liaison Committee constituted under the Resolution of the Government of India in the Ministry of Agriculture, No. F. 16-72/47-Policy, dated the 8th November, 1948."

Shri K. Hanumanthaiya (Mysore State): Sir, we have great pleasure in welcoming the motion made by the Honourable Shri Jairamdas Doulatram, because it is a very important matter which affects not India only. This Committee is expected to work in close co-operation with the world organisation which has made up its mind to improve the condition of nutrition and standard of living throughout the world.

In welcoming this motion, I want to make a few suggestions. The personnel of the Committee is printed in the Government Resolution supplied to us. The Chairman happens to be the Secretary to the Government of India in the Ministry of Agriculture. My first suggestion is that having regard to the importance of this Committee, the Honourable Minister himself should preside over this Committee. Secondly, in the matter of representation also, having regard to the importance of the Committee, we should have a little change in the personnel of the Committee. If the Honourable Minister agrees to serve as the Chairman of the Committee, the Secretary of the Department may be the Secretary of the Committee. One representative from the Ministry of Agriculture may then be omitted. One representative from the Ministry of Health also, I suppose, is unnecessary. Similarly, one representative of the Ministry of External Affairs and Commonwealth Relations may also be omitted. Two seats have been given to the Federation of Indian Chambers of Commerce and Industry. That representation may be reduced to one. I have suggested these omissions because Agriculture happens to be, for the time being, a provincial subject. The people directly concerned with the matter are the Ministers of Agriculture in the various provinces. I would like that in the place of these representatives, at least four or five Ministers of Agriculture from the provinces may be appointed on this Committee.

Mr. Speaker: I presume the honourable member is discussing the merits of the Government Resolution, under which this Committee is constituted and is making suggestions in respect of that Government Resolution. I am afraid it will be beyond the scope of this motion at this stage. The present motion is to proceed with the election in pursuance of the Government Resolution as it stands.

Shri H. V. Kamath (C.P. and Berar: General): On a point of order, Sir. May I submit that as this Government Resolution never came before the Assembly on any previous occasion and this motion pertains to that and arises out of that Resolution, you may kindly allow us to discuss the merits of both. This motion has been sprung upon us more or less as a surprise today.

Shri K. Hanumanthaiya: There is also this difficulty, Sir, that after the election of the members of the Committee, we will have no opportunity to discuss the personnel of the Committte. This matter was never brought before the House, as my honourable friend just now rightly pointed out.

Mr. Speaker: But to my mind, the difficulty is the Government Resolution is not before us to-day.

Shri H. V. Kamath: We have a copy here.

Shri T. T. Krishnamachari (Madras: General): There is one particular point with regard to this Government Resolution which I have to point out. It is stated that the Secretary will be presiding over the Committee, and this House is asked to send five representatives to this Committee. Sir, it is iniquitous to ask a non-official of this House to participate in a committee over which a Secretary of a Ministry presides. Therefore fundamentally the Government Resolution is wrong and it is an insult to this House to be asked to nominate five members to go on a Committee over which a Secretary presides. If the Honourable Minister does not think it his duty to preside over this Committee, or to appoint a non-official to preside over it, we are quite right in taking exception to this procedure. And the only way we can register our protest against such a procedure is to discuss the Government Resolution and reject the motion because of the contents of the Government Resolution.

The Honourable Shri Jairamdas Doulatram: The F. A. Organization sent out to all the countries which are party to that organization model rules for the purpose of setting up local Committee for liaison. The desire is to find out how far the governments which are members of the organization have been able to carry out the resolutions which had been agreed upon. These model rules have been adopted by the countries which are members of the organisation—I mean most of these rules have been adopted. The resolution containing the constitution of the Indian Committee was put before our Standing Committee of the Legislature. But I have not the least objection to make some of the changes proposed here, and I will put them up before the Standing Committee for Agriculture. If it is felt that the Secretary should not preside over the Committee, I will myself preside over it. Any other suggestions that may be made by this House will also be considered by the Standing Committee.

Mr. Speaker: Instead of taking up this matter for discussion now, I think it better that this matter be postponed. The matter may be discussed with the Honourable Minister and he may submit fresh proposals.

(*Honourable members indicated assent*).

So this matter is now put off. We pass on to the next item.

ELECTION TO COMMITTEE ON PUBLIC ACCOUNTS

The Honourable Dr. John Matthai (Minister for Finance): Sir, I move:

"That the members of the Assembly do proceed to elect, in the manner required by sub-rule (3) of rule 100 of the Constituent Assembly (Legislative) Rules of Procedure and Conduct of Business, one member to be a member of the Committee on Public Accounts in place of the Honourable Shri K. Santhanam who has resigned his seat on the Committee."

Mr. Speaker: The question is:

"That the members of the Assembly do proceed to elect, in the manner required by sub-rule (3) of rule 100 of the Constituent Assembly (Legislative) Rules of Procedure and Conduct of Business, one member to be a member of the Committee on Public Accounts in place of the Honourable Shri K. Santhanam who has resigned his seat on the Committee."

The motion was adopted.

Mr. Speaker: I may inform the houourable members that I fix the 9th February as the date for receiving nominations for holding election, if necessary, to the Committee on Public Accounts. The date for election will be the 11th February, 1949. Nominations for the Committee will be received in the Notice Office up to 12 Noon on the date mentioned for the purpose. The election which will be conducted by means of the single transferable vote will be held in the Assistant Secretary's room No. 21, Council House, between the hours of 10-30 A.M. and 1 P.M.

PUBLIC COMPANIES (LIMITATION OF DIVIDENDS) BILL

Mr. Speaker: We will now proceed with the consideration of the Bill—The Public Companies (Limitation of Dividends) Bill.

Shri S. V. Krishnamoorthy Rao (Mysore State): Sir, I rise to support the amendment for referring this Bill to a Select Committee. Sir, the object of this measure is to check inflation, and I wish the Honourable Minister and told us how the Ordinance to check inflation has worked. In fact, Mr. Khandubhai Desai has told us earlier in the dabate that this is but a small measure to fight inflation, and I may invite the attention of members iu this connection to the remarks of the Director of the Reserve Bank. Sir, there are very few people in this country who depend mainly upon dividends. There are a large uumber of persons whose investments are very small. Persons who get fabulous incomes from dividends are very few. This apart, there is already surplus money in the heuds of a few people who have made large profits during the time of the war, and also on account of the black-markets. In faot, Mr. C. R. Srinivasan, Chairman of the Board of Directors, Reserve Bank, says, "Money that is kept in the black-market still resits all attempts to be shepherded baok into the straight and narrow path." I feel that unless measures are adopted to freeze this extra money and also to impose compulsory savings, this measure, by itself, will not help us much in cheoking inflation. Clause 8 gives two alternatives, *i.e.*, (a) declaring the dividend at six per cent. and the other is (b) that they may declare the dividend on the average of 1946-47 and 1947-48. These two years are the peak years, and if this alternative is allowed, a monopoly will be given to certain companies, and this will act aguiust new companies. I submit that this difference should not be perpetrated in this Act, and I wish the Select Committee would consider this question and make only one rule for all. Let it be five per cent. or six per cent. or seven per cent. it does not matter, but there should be one rate for all the companies, whether they are old or new.

The other point is that this Bill does not say how the extra profit is to be invested, whether it will flow back into the industry and thus help in the industrialisation of the country, or in what method it is to be utilised. I wish this Bill would make some provision for the utilisation of the extra profits also.

I also feel that there is the risk of wasteful managerial expenses. This also should be looked into by the Select Commitee.

For all these reasons. Sir, I think it better that this Bill is considered in the Select Committee and then brought before this House.

Prof. K. T. Shah (Bihar: General): Mr. Speaker, Sir, I am not against the principle of this Bill, which I very much support. But I find that the principal reason advanced for this proposal is that it will check inflation that is now

growing in our country. But I fear that the Bill, as it stands, will not very much help us in achieving that object.

While it is impossible to give any precise figures as to the amount of money which this Bill will stop from going into the hands of the public, for the public to spend just as it likes, it seems to me, that by the provisions of this Bill, we would not be stopping more than, say five or six crores per annum from going into the hands of the public. My calculation is founded on assumptions which, however, are not utterly unwarranted by the figures available, though they are somewhat old.

It is said here that, "the amount distributed as dividend should be limited to the average annual amount distributed in cash during the two years ending 31st March, 1948, or six per cent of the paid-up capital of the company, whichever is higher." If you take into consideration the older companies which are long established, and which have, during the war, distributed fairly large dividends, this Bill will provide no limitation on them worth the name. These old companies can distribute such dividends as they may feel called upon to, or as their resources permit them to distribute, upto the average of the past two years' dividend rate. The average dividend, declared during the last two years will not be restricted by this Bill and can go in some cases to over 200 per cent. of the nominal paid-up value of a share like the Tata Iron and Steel Company's deferred share.

In fact, if the intention was that the possibility of distributing large profits into the proprietors' pocket, resulting either from the momentum of the last war, or from the excellent business done, are to be checked and conserved for more directly productive purposes, then really it is the older established companies that ought to have been restricted and restricted much more than the present Bill proposes to do.

As regards new companies, it seems unlikely that there will be very large profits in the period through which the industrial enterprise is passing today. In spite of the high prices prevailing, an air of depression prevails in the money market or industrial field. It seems to me that so far as new companies are concerned, there would not be any great prospect of their earning over six per cent. and therefore it is unlikely that they will be able to distribute much in the shape of dividend. I take it that in the established concerns, the aggregate amount invested is not over a thousand crores. If these have distributed on an average of ten per cent for the last two years, that will not be stopped. For the new enterprises with anything more than perhaps five or seven crores, paying to the limit of six per cent. would be too much to expect. Again I offer an explanation that the figures are not up to date and venture to submit that you will not be able to save more than five or seven crores. While saving this, you are at the same time, as the recent announcement declared, adding either to the allowances to be given to Government servants or railway or post office employees or wage-earners. So that what you save in one way, you are likely to dissipate or more than spend away in those other directions. That does not mean for a moment that I am against the basic principle of the Bill, *viz.*, to impose restrictions on dividends made available for expenditure leading to higher prices of commodities.

What I would like to bring to the notice of the Mover of the Bill is this; that unless steps are taken which will not only save the amount distributable and distributed as dividends, but also to see to it that that amount is utilised in some productive purposes either by Government or by the company concerned in its own expansion,—in the Bill there is no such provision—you will not be really helping the process of productive effort.

[Prof. K. T. Shah]

The Bill as it stands makes no provision which would go to conserve this extra profit and see to it that it is made available for utilization in productive purposes; nor does the Bill make any attempt to see that other sources of income are similarly retrenched or at any rate any excess in them put an end to, that is to say, for productive expenditure even if it is productive in the long run. But at the present time, in the high prices it is disproportionately high, and necessarily leads to further addition to the note issue in wasteful expenditure such as for instance we may have with regard to any expedition or war, for suppressing local disturbances or for fighting the communist menace. If this kind of thing goes on and if there are not equal resources by way of income, then your process of inflation is not likely to be checked by a measure like this.

I realise that it is not within the scope of this Bill to include restrictions on expenditure and, I take it that the Honourable the Finance Minister is perfectly aware of this side of the question, so that when the Budget is presented, he would inform the House about the measures he is taking to restrict the unproductive expenditure. But, as far as this Bill goes, unless and until provision is made not only in respect of dividends but also for conserving the amount saved thereby for productive purposes, whether by Government in their great undertakings or by the concern itself, and unless every effort is made to restrict unproductive or excess expenditure, I am afraid the principal objective of the Bill, namely to put an end to further growth of inflation, will not be attained.

Mr. Speaker: I think the Honourable Minister is going to accept the motion for reference to Select Committee.

The Honourable Dr. John Matthai (Minister for Finance): Yes, Sir.

Mr. Speaker: Then the Honourable Minister may reply.

The Honourable Dr. John Matthai: I think most of the points raised in the course of the debate are points which might more conveniently be considered during the deliberations of the Select Committee. So I would reserve my comments till the Committee meets.

Mr. Speaker: I will now put the amendment to the vote.

The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Dr. John Matthai, Shri T. T. Krishnamachari, Shri M. Ananthasayanam Ayyangar, Shri Arun Chandra Guha, Shri B. P. Jhunjhunwala, Mr. Homi Mody, Shri Khandubhai K. Desai, Shri S. K. Patil, Shrimati G. Durgabai, Shri Biswanath Das, Shri L. Krishnaswami Bharathi, Shri Sita Ram S. Jajoo, Shri R. Sankar, Shri B. L. Sondhi, and the Mover, with instructions to report by the 15th February, 1949, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

TEA COMMITTEE FOR INDIA BILL

The Honourable Shri K. C. Neogy (Minister for Commerce): I beg to move:

"That the Bill to provide for the development of the tea industry under Central control, and for that purpose to establish a Tea Committee for India, and levy a customs duty on tea produced in, and exported from, India, be referred to a Select Committee consisting of Srijut Rohini Kumar Choudhuri, Shri G. S. Guha, Shri Upendranath Barman, Shri Ari Bahadur Gurung, Shri S. V. Krishnamoorthy Rao, Shri K. Hanumanthaiya, Shri R. K. Sidhva, Mr. Naziruddin Ahmad, Shri H. V. Kamath, Shri M. Ananthasayanam Ayyangar, Shri T. A. Ramalingam Chettiar, Shri S. M. Ghose, Mr. K. A. Mohamed and the Mover, with instructions to report on or before the 1st March, 1949, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five".

Sir, this measure is intended to promote the development of a very important industry in this country whose significance, particularly from the point

of view of foreign trade, cannot be overestimated. The tea industry employs in the Union of India about one million labourers, and 775 lakhs of acres of land are under tea. From the point of view of foreign trade, the House will realise the importance of this industry when I mention that in the year 1947-48, our tea exports from India earned about 50 crores of rupees out of which seven crores came from hard currency areas. Now, efforts have been made in the past to provide a self-governing organisation for this industry with a view to promoting its general interests.

In 1903 the Tea Cess Act was passed by which a body representative of trade and industry was set up for the purpose of looking after certain interests of this industry and a cess was imposed upon exports of tea which worked roughly, at about two annas per 100 lbs. and later from time to time by way of amendment of this Act, the maximum rate of duty came to be fixed at Rs. 1-8-0 per 100 lbs. Actually at the present day, the cess which is now levied amounts to Rs. 1-6-0 per 100 lbs. Incidentally, about 12 years ago, the original body which went by the name of Tea Cess Committee was given the name of Tea Market Expansion Board. A reference to the Tea Cess Committee Act will enable honourable members to realize the scope of that Act and to compare the rather restricted scope of that measure with the measure, which I have now placed before this House.

Sir, the principal object of the Tea Cess Committee Act was to enable the Tea Market Expansion Board to utilise the funds that they derived from the cess for the purpose of expanding the consumption of tea mainly in India. So far as propaganda in countries outside India was concerned, the Board made a contribution to an International Body called the International Tea Market Expansion Board out of the proceeds of this cess, and the International Tea Market Expansion Board carried on propaganda on behalf of the three principal countries that produced tea, India, Netherlands East Indies and Ceylon. The contribution was based upon the production in each country, but in carrying on the propaganda, the International Body used to carry on the propaganda on behalf of tea generally, that is to say, the object was to see that the consumption of tea as such and not tea from any particular producing country was expanded in the different foreign countries.

Taking the estimated figures for the year 1948-49, the cess that is estimated to be levied on exports of tea, the total amount is estimated at Rs. 56 lakhs in India, and out of this 26 lakhs is expected to be spent by the Tea Market Expansion Board of India on propaganda within the country and to make a contribution of Rs. 25 lakhs, or very nearly an equal amount, towards the expenses of the International Tea Market Expansion Board. At the present moment, in spite of the efforts of the International Body in the direction of expansion of the consumption of tea in countries ouside India, it has to be regretfully admitted that there is a tendency for the export market of India to get reduced, that is to say, Indian tea is facing severe competition from its competitors, principally Ceylon, and East Africa is also coming into the picture gradually. Sir, there are two reasons why Indian tea is getting gradually replaced by other tea. In the first instance, the price of Indian tea stands rather high, and in the second, the quality of Indian tea appears to have gone down of late.

So far as the activities of the Indian Tea Cess Committee which came to be later known as the Tea Market Expansion Board, are concerned, they did not comprise any research being undertaken for the purpose of improving the position of the industry.

The principal feature of this Bill is that the proceeds of the cess would be available not merely for carrying on propaganda for the expansion of the use of tea, but also, as honourable members will find on a reference to clause 12, to supply technical advice to growers, manufacturers and dealers, encourag-

[Shri K. C. Neogy]

ing the adoption of improved methods by them and undertaking or promoting research in that behalf. This is indeed the most important provision of this Bill, although reference is made to other important activities, which we contemplate the new Body to undertake, one of which is the collection of statistics. As in many other branches of the administration, statistical information in regard to the Tea industry is very unsatisfactory.

Sir, the research that will be undertaken under the proposed measure, will, I hope, enable the industry to improve the quality of the tea, as also lead to the adoption of improved methods of cultivation and other connected processes, which would ultimately result in an appreciable reduction in the price of the manufactured tea.

Sir, all these objects were explained on behalf of Government to a Conference that was held in December 1947 in Calcutta, which was attended by representatives of all the tea interests in the country, and there was a general measure of agreement about the necessity of a measure of the kind which I have placed before the House.

Soon after the Conference, a tentative scheme was prepared by Government, which was circulated to everybody concerned, and opinions were collected on that tentative scheme, and the present Bill is the result of such consultations.

Sir, a word about the composition of the Body, which is contemplated under the present measure. I claim that the proposed composition of the Committee is an improvement upon the Composition of the Tea Market Expansion Board in so far as the new proposals contemplate the representation of regional interests, but the most important feature of the Bill in this regard is the representation of Government and the previous measure did not provide for any Government control worth the name. Now having regard to the importance of this industry and the connected trade, Government have decided to take a hand in the control which would be provided through this particular measure.

Sir, I do not think I need take up any more time of the House and I very much hope that any points which honourable members have to raise with regard to the details of the measure would be duly considered in the Select Committee and the House perhaps need not occupy itself with a consideration of the various detailed provision of this measure. Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill to provide for the development of the tea industry under Central control, and for that purpose to establish a Tea Committee for India and levy a customs-duty on tea produced in, and exported from, India, be referred to a Select Committee consisting of Srijut Rohini Kumar Choudhuri, Shri G. S. Guha, Shri Upendranath Barman, Shri Ari Bahadur Gurung, Shri S. V. Krishnamoorthy Rao, Shri K. Hanumanthaiya, Shri R. K. Sidhva, Mr. Naziruddin Ahmad, Shri H. V. Kamath, Shri M. Ananthasayanam Ayyangar, Shri T. A. Ramalingam Chettiar, Shri S. M. Ghose, Mr. K. A. Mohamed and the Mover, with instructions to report on or before the 1st March, 1949, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Shri H. V. Kamath (C. P. and Berar: General): On a point of information, may I ask whether you propose to rigidly enforce the rule of silence against members of the Select Committee? If you are not, then I am going to speak.

Mr. Speaker: I have already explained my views on this. When a Select Committee is appointed, it is better for the proposed members to hear what others have to say and then to consider the matter in the Select Committee because they will have full opportunity of discussing the points in Committee. Unless, therefore, there are exceptional reasons to the contrary, I do not propose to call upon those members whose names have been put down for the Select Committee.

Shri T. T. Krishnamachari (Madras: General): May I suggest, even if it is presumed that I am questioning your ruling, that there are certain matters in which the Select Committee will not be able to go beyond the scope of the Bill, unless a direction is expressly given. We have no method of giving any express direction to a Select Committee to go beyond a particular stage. What is done to take up the gist of the discussion on the floor of the House, so that if a member of a Select Committee wants to raise a particular point, which does not fit in with the four corners of the discussion, he will be precluded from doing so unless he raises this question here. I have considered this point at some length and I have also studied the proceedings of the House of Commons and have also referred to May's Parliamentary Practice and I find that if a member wants to express a particular point which he wishes to be taken up in the Select Committee and which is not within the four corners of the Bill, he is precluded from doing so unless he makes mention of it in the House and unless there is no categorical vote against that particular point which he wants to raise. These are I humbly suggest points which you may consider at your leisure. So that the convention might be suitably modified.

Mr. Speaker: I have already stated that, that rule was not an inflexible rule, applicable in each and every case. I, therefore, said that in exceptional cases I might consider the case but my fear is that the exception may be turned into a rule! Anyhow, for the present, what I have explained stands.

Shri V. S. Sarwate (Madhya Bharat): I have very carefully listened to the speech made by the Honourable Minister in putting up this motion. I am afraid that he has in his speech mainly devoted his attention to the economic aspect of the question. But there is also another aspect which has to be considered in dealing with this motion. I am not sure whether tea is conducive to the health of society and of the persons who drink it. We need not of course go by the advertisements which we find at railway stations:

Chae garmi ke dinon men
thandak lati hai:
Aur thand ke dinon men
garmi lati hai.

But it is an admitted fact that eminent doctors are divided on the question whether tea is healthy to drink and there may be many a member here who may share my experience that tea generally adversely affects hunger and digestion. If after taking tea you take dinner it is not easily digested. Therefore, it has to be considered from this aspect whether it would be proper for a Government thus directly to take part in making propaganda for the expansion of tea. It may as well be said that there are so many persons who smoke, there are millions of labourers who are working in the cigar industry, etc., therefore Government may take an interest in doing propaganda to encourage smoking. The main thing that has to be considered is whether it is necessary or essential and in the interests of health and the good of society.

I may further say that in this country of ours, where the income is calculated to be Rs. 30 per annum—the average may be a little lower or higher—it should be considered whether it is desirable that people should be encouraged to take tea, which as every householder knows has become an item of great expenditure. I am afraid that as medical opinion is divided on this point, the Government should not be committed to this propaganda and therefore it is in the interests of society that this Bill be dropped.

Shri Prabhu Dayal Himatsingka (West Bengal: General): I whole-heartedly support the Bill introduced by the Honourable Minister. I am a person who does not drink tea. In fact I have taken two cups only in my life. But still I feel that this Bill is a necessary one. This is one of the important industries of the country and as the Honourable Minister said it brings in a large amount of money from foreign countries. I am afraid, unless it is carefully looked into and guarded against foreign competition, Indian tea runs the risk of losing its place in foreign countries. A large number of British owners of tea-gardens have been disposing of their tea interests in the country and trying to put up new gardens in East Africa and other places. Brazil is already competing with Indian tea and Ceylon is also there. Therefore it is very necessary that the quality of the tea which this country produces is improved, the prices are such that they stand foreign competition, and that it can be sold in other countries at a competitive price. Therefore the Committee that will be set up can go into all these questions and devise ways and means whereby the quality can be improved, the cost can be reduced and other measures for the protection of the industry can be taken. If it is injurious for people to take tea that committee can also take steps to give information to people asking them not to take to tea but there is no reason why when the industry is there and such a vast amount of capital is invested in it, steps should not be taken to bring in measures which will protect the industry as also bring in improvements.

Shri Khandubhai K. Desai (Bombay: General): Sir, while according my wholehearted support to the motion before the House I would like to make three observations for the consideration of the Select Committee. The Honourable the Commerce Minister said that this is one of the most important national industries and the amount of export of tea to foreign countries is considerable and it earns for us hard currency for the purpose of imports. It also gives, as he has said, employment to no less than one million labourers. It is well known that the tea interests in this country are more or less foreign and they have not treated the labourers as they should have and it has been found that the workers working in the plantations are half-starved and not cared for properly. Sir, I have studied the constitution of the Committee and I find that there is a serious omission. The whole structure of the committee is laid on three planks—the planters, the traders and the State as representing the consumer—but the fourth party is missing. Therefore my submission to the Select Committee is that they must at least include in the composition of the Committee five labour representatives representing the five tea-growing regions of the country, if they really want to make the structure of the Committee a stable one and it will go a long way to develop the tea industry which, as has been stated, is one of the most necessary industries in the land.

There is one other omission in regard to the functions of the committee. The functions of the committee as have been laid down do not include according to me the function of considering whether the foreign interests which are working here should be bought over by the State. Most of these interests are British interests and particularly therefore it is a good thing to buy them over in lieu of our sterling debts, if necessary, so that a beginning may be made to work this industry in the national interest and we could nationalise at least a part of the tea planting industry in the country. These are the viewpoints which I place before this House and I very strongly urge the Select Committee to take them into consideration. Particularly the representation of labour is essential if you really want to develop the industry on the proper basis.

It has been said that the function of the Committee is also to see that proper grading is made, that proper production is achieved and that the quality of the tea is improved. How are you going to improve the quality, unless the proper representatives of the labourers (those who are half-starved and working under great difficulties) are taken into confidence and their grievances, their representations and even their technical knowledge which is there, are taken into consideration. However much you may say that technicians are the only people who can advise, the people who actually work know better what difficulties there are in actual production. So I would strongly urge that at least five representatives representing the labour organisations in these five regions must be taken on the committee so that the committee may be full and it will stand on four legs properly and not on three legs as at present. Otherwise the whole structure will fall down.

Dr. V. Subramaniam (Madras: General): Sir, I want to make a few observations. No doubt we want to export large quantities of tea to earn more money for our imports but at the same time, to make up the food shortage in our country, investigations should also be made whether at high altitudes rice could not be grown as in Dehra Dun. In Dehra Dun we are producing very good rice also. Much of the land given to tea-growing can also be utilised for growing rice. If that is done it will be very useful because instead of importing foreign rice and other grains and paying money to other countries we can also directly grow our own food also in those lands. Moreover from the health point of view I have no objection to export as much tea as possible for financial considerations and it is better for our people from the health point of view to drink less tea and take more coffee.

Shri T. T. Krishnamachari: Sir, I have a few observations to make on this Bill. In the first place the constitution of the committee does not find room for representatives of this House, not that I want the Committee to be unduly loaded with consumer representation but it is a common feature in similar committees (particularly for instance the Coconut Committee and the Oilseeds Committee) to have representatives of this House. I do not see why the draftsman of this particular measure has chosen to ignore the members of this House.

The second point I would like to mention is that it often happens that in the constitution of a committee of this nature the interests of the consumer is given the go-by. One pregnant example of how the consumers' interests are affected is the Coffee Expansion Board, where the price of coffee is going up by leaps and bounds irrespective of the price paid to the producer and the quality of the coffee that is being supplied to the consumer in this country is very poor. Apparently good quality coffee is exported. I do hope that this Committee will not share the same fate, so that the Committee will seek to export the more valuable and the better quality of tea abroad and give us only tea dust. That is a position which is quite conceivable.

Another point which I would like to make is this. The Tea Market Expansion Board is a non-official organisation. It has its defects. It is top-heavy. The top rungs of the Board are now manned by Europeans receiving very fat salaries but it is undoubtedly doing very good work, for the reason that control is very resilient. They are permitted to take part in many schemes which perhaps a Government body like this Tea Cess Committee would not permit. For instance, in Madras, during a recent exhibition which was held under the auspices of the Congress Committee, the Tea Market Expansion Board not merely did propaganda for their tea but undertook the entire catering on a non-profit basis, which is the only way in which they could get people to know of their work and their efficiency. A thing like that might probably be impossible in a quasi-governmental sphere such as the

[Shri T. T. Krishnamachari]

one that is contemplated at the present moment. I do hope that the resilience that a non-official organisation has will be maintained in the working of the new Committee and adequate provision will be made either by rules or otherwise so that Government will give the Committee a free hand.

I would like to endorse and heavily underline the suggestion made by my honourable friend Shri Khandubhai Desai. I do feel that whether or not the interests of labour is going to be safeguarded by the work of this committee it is essential that it should recognise that labour has a place in a body like this and the sooner we recognise it in this House the better it will be for all concerned. I do hope the Select Committee will make the necessary alterations to see that labour representation in this Committee is secured.

One final word before I sit down. There is another point which my friend Mr. Khandubhai Desai mentioned but I would like to approach it from a different point of view altogether. I look at the thing from the organisation side of it or the better run side of the industry, which is now being controlled by the European element in the industry. We might say that disturbing it will be wrong, but some kind of disturbance of the existing state of things is bound to occur before long. Very many of the foreign planters have sold their estates during war-time at high prices and have gone away; some of them have remained as managers; some of them are trying to come back. But we must put this particular industry on a stable basis. So long as its direction and control are mainly in the hands of the European who has really no interest in India's earning hard currency by export of tea, the difficulty of making the industry suit itself to the country's needs will always be there, unless the Committee is going to have some powers in regard to the internal management of the estates as well, which might result in what Mr. Khandubhai Desai wants, namely in these people selling out and going away or unless they fit into the organisation of the industry as it might be and work as nationals of this country. I do not want to expropriate British interests so long as the basic interest of such are identical with the interests of this country. But it may not be possible in actual practice. It would be worth while therefore for this Government to keep this in view that British interests which are there and which will have to be safeguarded for more than one reason—for diplomatic reasons mainly—may not be interests that will stay permanently for all time. Probably they would not have any permanent interests in this country. I am sure my honourable friend the Commerce Minister when he receives the deputation of tea interests will bear this particular point of view in mind, namely that any concession he concedes to them does not affect the permanent interests that India has in this industry.

Babu Ramnarayan Singh (Bihar: General): Sir, the Bill under consideration advocates the taking of tea. In times of yore there was a sage of the name of Raja Barthrihari. In one of his *Slokas*, talking of the world, the sage said:

न जाने संसार: किममृतमय: किम् विषमय:

which means nobody knows whether the world is full of nectar or full of poison. Exactly the same thing can be said of anything and everything in the world. Tea is a thing which cannot be unanimously and universally supported. In such matters we have to consider whether there would be great harm to the nation without this. It is said that it is a national industry and all that. Will the heavens fall if this industry is not there? It is said that it will fetch dollars and a large income to Government. There was opium which used to bring more than six crores of rupees of income a year to this Government. But why is it discouraged? Because it is not a thing which improves the morale and the health of the people. Similarly with regard to tea it may be said by those who

are accustomed and habituated to it that it helps them. But it is a thing which goes against the health of the people and it is not a proper thing to be encouraged.

Shri R. K. Sidhva (C. P. and Berar: General): Should it all be exported?

Mr. Speaker: Let him proceed in his own way.

Babu Ramnarayan Singh: I also have got my own experience. It is a very nasty thing. What I have observed in this if once you begin taking it, it becomes a habit. Once people have got into the habit of taking tea, if they do not get tea they will be upset. (*Shri R. K. Sidhva*: "Does not the taking of rice also become a habit?") Besides that, when there is Grow More Food Campaign, 7,000 acres are devoted to this industry. People are dying for want of food; there is no food; there is cry throughout the country; and there is the 'Grow More Food Campaign'? Under such circumstances why should this industry be developed at the cost of food? As my friend was whispering, let them do whatever they like. But why do they encourage and make propaganda throughout the country? If they want to export it and derive income, well, let them send it to the foreign countries. But for God's sake let them not make any propaganda in the country. With these words, Sir, I strongly oppose the motion.

پنڈت ٹھاکر داس بھارگو : جناب سبھاپتی صاحب ! میں چند بھی باتیں عرض کرنا چاہتا تھا جو میرے دوست شری سروتے اور بابو رام نرائن سنگھ نے اس معاملہ میں اس ہاؤس کے سامنے رکھی ہیں -

Shri K. Hanumanthaiya: Sir, cannot the honourable member speak in English?

پنڈت ٹھاکر داس بھارگو : جہاں تک اس بل کا تعلق ہے وہاں تک اس کے industrial aspect پر میں سوائے اس کے کہ میں اس کو support کروں اور کچھ نہیں کہہ سکتا - یہ بھی تو ثابت نہیں ہوا ہے کہ tea سے بہت زیادہ نقصان ہوتا ہے اگر ایسا ہوتا تو میں اس کو ہرگز support نہ کرتا - اور یہ کہنا بھی مشکل ہے کہ چائے کے استعمال سے تندرستی کو فائدہ پہنچتا ہے - جہاں تک health کا سوال ہے وہ لوگ جو اس بات کو نہیں مانتے کہ tea سے فائدہ ہوتا ہے - وہ اس بل کی مخالفت ضرور کرینگے - اور اس کے حق میں نہیں رہینگے-

انٹین tea کا جہاں تک سوال ہے - اس بل کا سیکشن 12(1) (a) یہ کہتا ہے -

"Promoting the sale, and increasing the consumption, in India and elsewhere of Indian tea or of tea generally; carrying on propaganda for those purposes;"

میں نہایت ادب سے عرض کرنا چاہتا ہوں کہ اسکا جو یہ حصہ ہے یہ سخت قابل اعتراض ہے - حالانکہ میں اس بات کا قائل نہیں ہوں کہ tea سے ضرور نقصان ہوتا ہے

جناب عالی! میں نے ایک دفعہ اسپرین کے متعلق ایک پکچر دیکھا تھا - جس پر کہ اُس کے بنانے والوں نے بہت سا روپیہ اس دیش میں اس کے propaganda کے لئے خرچ کیا تھا-

[پنڈت ٹھاکر داس بھارگو]

لیکن تی کا propaganda سٹیشنوں پر ہوتا ہے - کہ یہ گرمی میں ٹھنڈک پہنچاتی ہے اور سردیوں میں گرمی پہنچاتی ہے - یہ میں مانتا ہوں کہ اسکی عادت اس طرح خراب ہے جس طرح کہ افیم کی عادت خراب ہے مجھ ہےایک کیس کے متعلق معلوم ہے کہ ایک ساٹھ برس کا آدمی جسکو افیم کھانے کی عادت تھی اور جس کا تعلق ایک معزز گھرانے سے تھا اُسکو جب سزا ملی تو اُسکے ورثا میرے پاس آئے اور مجھکو کہا اس کی ضمانت کراؤ نہیں تو یہ افیم نہ ملنے کی وجہ سے مر جائیگا - بعد میں اسکو افیم جیل خانے میں کھانے کے لئے اسکے ورثان نے smuggle کرا کر بہم پہنچائی-

میں آپ کو اپنے شوخر کی بات بتاؤنگا - اُسکو اگر آپ تین دن تک کھانا نہ دیں تو اُسکو اس کی کچھہ بھی پروا نہیں ہے - لیکن اگر اس کو آدھ گھنٹہ کے لئے چائے نہ ملے تو وہ کام کرنے کے قابل نہیں رہتا ہے - اسکی عادت اسی طرح سے پڑتی ہے جس طرح کہ دوسری بد عادتیں پڑتی ہیں-

میرے دوست مسٹر سدھوا نے کہا کہ آپ چاول کیوں کھاتے ہیں - میرے خیال میں مجھے اسکا جواب دینے کی کوئی ضرورت نہیں ہے - وہ اپنے دل میں سوچیں اور دیکھیں کہ tea ایک luxury ہے اور چاول ایک ضروری چیز ہے-

آپ یہاں پر ہر روز grow more food کے قصے سنتے ہیں - اور آپ نے tea کے لئے زمین مخصوص کی ہیں اگر آپ اسکی industry قائم کرکے آپ اسکو بڑھاویں تو میں یہ نہیں کہونگا یہ بات خراب ہے - لیکن آپ جو یہ کہتے ہیں کہ ہندوستان میں اس کا propaganda کریں میں اسکے خلاف ہوں- tea کا دودھ کے ساتھ کوئی مقابلہ نہیں ہے - میرے علاقہ میں خصوصاً جالندھر میں لوگ گھی اور دودھ کھایا کرتے تھے اور اب وہاں پر وہ لوگ tea بہت زیادہ استعمال کرتے ہیں انکو اب اس کا بہت شوق پیدا ہو گیا ہے - پھر بھی وہاں پر لوگ چائے کے ساتھ butter ملا کر پیتے ہیں لیکن سارے ہندوستان میں butter ڈالکر چائے نہیں پیتے ہیں پھر بھی یہ بات غلط ہے کہ چائے کا مقابلہ دودھ کے ساتھ ہو سکتا ہے - اور نہ ہی اسکو دودھ کی جگہہ substitute کیا جا سکتا ہے نیشنل point of view سے یہ ایک آفت ہے — یورپ میں آپ دیکھینگے کہ وہاں جب آپ کافی پینے جائیں تو وہ آپ سے پوچھینگے کہ white کافی چاہئے یا black کافی - اس طرح سے جو لوگ چائے پیتے ہیں وہ اسمیں دودھ ملا کر نہیں پیتے ہیں بلکہ دور سے ہی ذرا سا دودھ دکھاتے ہیں اور دودھ نہیں ڈالتے اسلئے بہت سے لوگ تو Black tea پینے لگے ہیں اور ایسے لوگوں کے لئے دودھ دوائی کی حیثیت رکھتا ہے

در اصل دودھ پینے والے جو لوگ ھیں وہ چہ ٹی کی طرف راغب ھو جائینگے اور ان کی طاقت میں اضافہ نہیں ھوگا - دیش کے اندر دودھ کی ضرورت کم محسوس کی ، جائیگی اور اسطرح health کے لحاظ سے دیش کے لئے نقصان ھوگا اس لئے میں اس حصے کی مخالفت کرتا ھوں - باقی جتلی چیزیں جو آپ کے روبرو آئی ھیں کہ cultivators of tea کو فائدہ پہنچایا جائے ان کی میں تائید کرتا ھوں - ٹی کے بارے میں میں ایک چیز اور عرض کر دینا چاھتا ھوں - وہ یہ ھے کہ آسام کے اندر اور دوسری جگہوں پر cultivators پر جو مظالم ڈھائے گئے ھیں وہ عام طور پر روشن نہیں ھیں - اسلئے میں عرض کرونگا کہ ان کا protection ضروری ھے اور ان کے لئے جتلی بھی رعایت کی جائے وہ کم ھے ان الفاظ کے ساتھ میں اس کی تائید کرتا ھوں

(*English translation of the above speech*)

Pandit Thakur Das Bhargava (East Punjab: General): Mr. Speaker, Sir, I have nothing more to add to the observations already made in the House by my honourable friends Shri V. S. Sarwate and Babu Ramnarayan Singh.

Shri K. Hanumanthaiya (Mysore State): Sir, cannot the honourabe member speak in English?

Pandit Thakur Das Bhargava: So far as this measure is concerned, I have nothing else to say except to support its industrial aspect. This has also not been proved that tea is very injurious. If this bad been so, I would never have supported it and it is also difficult to say whether tea is conducive to the health of persons who take it. So far as the question of health is concerned, those persons who do not admit the fact that tea is conducive will surely oppose this Bill and will not support it.

So far as the question of Indian tea is concerned, Section 12(1) (a) of the Bill lays down:

"Promoting the sale, and increasing the consumption, in India and elsewhere, of Indian tea or of tea generally; carrying on propaganda for those purposes;"

With all due respect, I would like to submit that this portion of the Bill is highly objectionable although personally I am not convinced of the fact that tea is invariably harmful. Sir, once I happened to see a picture about *Aspirin* over which its manufacturers had spent a huge amount for conducting its propaganda in this country.

The propaganda of Lipton Tea is generally carried on at Railway Stations *viz.*, it keeps warm during the winter and has a soothing effect in the summer. I do agree that the habit to take this is as bad as that of opium. I know of a certain case of a gentleman of sixty coming of a respectable family habituated to take opium. When he was awarded punishment his relatives approached me for getting him released on bail, as they apprehended lest he may not collapse in jail for want of opium. Later on his relations were able to smuggle and provide him with opium in the jail.

I will tell you the case of my own chauffeur. He does not mind going without meals for 8 days even, but if he is not provided with tea after half an hour be is unable to work. The tea-drinking habit is a concomitant to other evil habits. My honourable friend Mr. Sidhva asked us as to why you take rice? In my opinion it is hardly necessary for me to give any reply to this. He should himself think over the matter and find out whether tea is a luxury, and rice an essential commodity.

[Pandit Thakur Das Bhargava]

Every day you listen in this House to the stories about 'Grow More Food', and you have earmarked land for the production of tea. If you develop its industry, I do not find any defect in it; but I am opposed to its propaganda being carried on throughout India. Tea is no match for milk.

On my side especially in Jullundur, people were accustomed to take milk, and ghee, whereas at present, they are very much habituated to the use of tea. Now they have become very much enamoured of it. Even then the people there drink tea after mixing up butter in it. But in the whole of India tea is not taken with butter.

Even then it would be absurd to say that tea is as good as milk. Neither can it be substituted for milk. From the national point of view it is a calamity. You will find in Europe that when you go to any place for drinking coffee, they will enquire from you whether you require white or black coffee. Similarly those people who drink tea do not take it after putting milk in it, but show a little milk from a distance and do not pour it.

Therefore, many of the people have been accustomed to drink black tea and to them milk appears to be like a medicine. As a matter of fact the people who are in the habit of drinking milk will again be persuaded to take tea, and their strength will not increase. There will be little demand for milk in the country and this will prove harmful to the interests of the nation from the health point of view. Therefore, I oppose this part of the Bill. I support the other things which have been brought up before you inasmuch as these relate to the encouragement of the cultivators.

In regard to tea, I would like to mention another thing *viz.*, the tortures that have been inflicted upon the cultivators in Assam and other places and which have not been generally exposed. Therefore, I would submit that there protection is most essential and they should be granted the maximum possible concessions.

With these words, I support this measure.

The Honourable Shri K. C. Neogy: Sir, I may state for the information of the House that I am not a habitual tea drinker. Therefore, I think I can claim to approach some of the points that have been made by some of my honourable friends with an unbiased mind.

This is not the first time that the question of protecting or promoting the interest of tea as an industry has come up for the consideration of the Legislature and I do think that having regard to the limited scope of the present measure, this wide question should not be raised but if we were to take a straight vote in this House I have not the least doubt that tea drinking would be supported by an overwhelming majority.

Sir, apart from anything else I think a propaganda for the expansion of the tea-drinking habit should be carried on as a concomitant to the prohibition drive. As a matter of fact, you should give some substitute for the spirituous drinks which you are going to deny to the people. It would be quite justified from many points of view.

[*At this stage Mr. Speaker vacated the Chair, which was then occupied by Pandit Thakur Das Bhargava (one of the Panel of Chairmen)*].

As a matter of fact, as is well-known, tea has been described as a drink that cheers but does not inebriate. I hope the House will not refuse this slight amount of cheer to these people who are going to be deprived of their spirituous drinks.

Sir, several points have been raised which can very usefully be considered in the Select Committee, points regarding the composition of the contemplated Committee. But there again, I should like to remind the House that the object of this measure is a very limited one. Much as I sympathise with the object which my honourable friend Shri Khandubhai Desai has in putting forward the claims of labour to representation on this body, I very much doubt whether representation of labour is likely to advance the purposes of this measure as laid down in clause 12 of the Bill. However, Sir, this question is a point which can certainly be gone into in the Select Committee.

One point which was made and which to my mind is entirely outside the scope of this measure, was the question of buying up or acquiring the interests of the foreign investor in the tea industry. Sir, I am not expected to make any statement on this issue, but at the same time I should like to remind the House that as a matter of policy we may not perhaps bar out foreign capital. As a matter of fact, there is a desire that more of foreign capital should be forthcoming for investment in India and I do not know whether this is an opportune moment for raising the issue which has been raised by my honourable friend Mr. Khandubhai Desai. In any case, it is definitely beyond the scope of a Committee of the character contemplated to do anything to bring about the result which my honourable friend has in view.

My honourable friend Shri Krishnamachari raised the question of representation of the consumer. He also criticised the composition of the body in so far as the official element is concerned. Well, I have already indicated that Government feel that the control in so far as this body is in a position to control the industry, should not vest exclusively in the industry and trade, but because of the importance of the industry and the trade to the Government and the country as a whole, the Government should take a hand in that control. I am perfectly willing to consider the claims of representation of consumers and from that point of view to have the House represented on this Body, but that again is a matter which will have to be considered by the Select Committee.

I do not think that I need refer to any other point that has been made. I hope, Sir, the House will accept the motion.

Mr. Chairman: The question is:

"That the Bill to provide for the development of the tea industry under Central control, and for that purpose to establish a Tea Committee for India and levy a customs-duty on tea produced in and exported from, India, be referred to a Select Committee consisting of Srijut Rohini Kumar Chaudhuri, Shri G. S. Guha, Shri Upendranath Barman, Shri Ari Bahadur Gurung, Shri S. V. Krishnamoorthy Rao, Shri K. Hanumanthaiya, Shri S. K. Sidhva, Mr. Naziruddin Ahmad, Shri H. V. Kamath, Shri M. Ananthasayanam Ayyangar, Shri T. A. Ramalingam Chettiar, Shri S. M. Ghose, Mr. K. A. Mohamed and the Mover, with instructions to report on or before the 1st March, 1949, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

MANGROL AND MANAVADAR (ADMINISTRATION OF PROPERTY) BILL

The Honourable Sardar Vallabhbhai Patel (Minister for Home Affairs and the States): I move:

"That the Bill to provide for the vesting of certain properties belonging to the States of Mangrol and Manavadar in Kathiawar in the Managers of the said States, be taken into consideration."

[Sardar Vallabhbhai Patel]

The administration of Manavadar aud Mangrol States in Kathiawar was taken over on the 22nd October and 1st November respectively. The Ruler of Mangrol had signed an accession which he subsequently repudiated under pressure from Junagadh. The Ruler of Manavadar had no separate existence as a Ruler and Manavadar was merged at one time in Junagadh. Subsequently it was detached and like all the detached States was taken over by us afterwards in accordance with our Notification issued on the 14th August 1947, this State was also taken over. Subsequently, the Rulers were won over by Pakistan and are reported to have signed some sort of an agreement of political relationship with Pakistan. Having regard to our earlier claim, however, we took possession of these States and the Rulers were taken over under our protective custody. The States were placed under Managers who work directly under the supervision and control of our Regional Commissioner stationed at Rajkot,—the old headquarters of the Residency of the Political Department in Kathiawar. Both these have properties consisting of Government securities, stocks, industrial shares etc., in the name of Chiefs or Rulers or Karbaris or other officials of the State. It was therefore thought best to vest these properties by law in the Managers, so that they could be safe and be operated on by the Managers in the interests of the State. Government of India therefore issued an Ordinance to that effect on the 16th August 1948. That Ordinance is likely to expire on the 15th of February 1949. It is therefore necessary to continue the arrangements by an Act of the Legislature. Accordingly this Bill has been introduced. It is a very short and non-controversial measure which I hope the House will have no difficulty in passing.

Mr. Chairman: Motion moved:

"That the Bill to provide for the vesting of certain properties belonging to the States of Mangrol and Manavadar in Kathiawar in the Managers of the said States, be taken into consideration."

Shri R. K. Sidhva (C. P. and Berar: General): On a point of information, Sir, may I know what is the total amount of all these securities? In Schedule Part I in the column of 'amounts' carries figures in respect of investments (a) only, whereas in respect of (b) (c), (d) and (e) and also Part II the amounts are not mentioned. I only want to know the total amount.

مولانا حسرت موہانی : جناب والا ! ابھی ہمارے دوست سردار پٹیل نے جو یہ ریزولیوشن منگرول اور منادار کے متعلق پیش کیا ہے میں اس کی پورے زور کے ساتھ مخالفت کرتا ہوں - در اصل یہ ایک بہت بڑی پالیسی ہے جو کہ ہماری انڈین گورنمنٹ نے اختیار کی ہے اور انڈین رولرس میں سے خصوصاً چھوٹے چھوٹے رولرس کے ساتھ اختیار کی ہے میں اس کی شدت کے ساتھ مخالفت کرتا ہوں - اس پالیسی کے کیا معنی ہیں جو کہ آپ ان رولرس کے لئے اختیار کرتے جا رہے ہیں - یہ آپ کا برتاؤ کیا ہے ہم اور سردار پٹیل اور تمام کانگریس کے ممبر سب کے سب برٹش گورنمنٹ کے زمانہ میں جو یہاں رولرس تھے یعنی کھلک، ڈلہوزی، ہیسٹنگز اور کلایو - ان کے اوپر لعنت کرتے تھے انہوں نے کیا کہا - کہ تمام ریاستوں کو ہڑپ لیا اور رولرس کو کہہ دیا کہ جاؤ مانگ کھاؤ - یا کسی کے ساتھ یہ کیا کہ تھوڑا سا وظیفہ مقرر کر دیا - کیا آپ کو یاد نہیں ہے کہ لاہور اور پنجاب کی پوری ریاست وہ ہڑپ کر گئے اور ان کو یہ کہہ کر کہ تمہارا انتظام ٹھیک نہیں

ھے نکال کر پھینک دیا - اور مہاراجہ رنجیت سنگھ کے پوتے دلیپ سنگھ کو عیسائی بناکر ولایت بھیج دیا - انہوں نے اودھ میں کیا کیا - کہ انتظام ٹھیک نہیں ھے یہ بہانہ نکال کر واجد علی شاہ کو وہاں بھیج دیا اور ان کو ایک رقم دے دی - خیر انہوں نے یہاں تک تو کیا کہ کچھ وظیفہ دے دیا لیکن آپ کیا کر رہے ھیں - بہت سی جو چھوٹی ریاستیں تھیں ان میں سے یہ دو ریاستیں منگرول اور ملاودار کی ریاستیں ھیں - پہلے تو ان کی مرضی تھی کہ وہ پاکستان میں شریک ھوں - میں کوئی پاکستان کا موافق نہیں ھوں - لیکن انصاف کی بات یہ ھے کہ ھر شخص کو یہ اجازت تھی کہ وہ جس میں چاھے شریک ھو تو اُنہوں نے پاکستان میں شریک ھونے کی خواھش ظاھر کی تو آپ کو اس میں کیا اعتراض ھو سکتا تھا - لیکن آپ نے اول تو ان کو یہ سزا دی کہ ان کو زبردستی اپنے میں شامل کر لیا اور پھر شامل کرنے کے بعد اور ریاستوں کے ساتھ آپ نے جو کیا تھا وہ بھی ان کے ساتھ نہیں کیا - یعنی ان کو کوئی حصے نہیں دیا - اور حصے ھی نہیں دیا بلکہ ان کو کوئی پنشن وغیرہ بھی نہیں دی

Mr. Chairman: May I remind the honourable member that the question involved in this Bill is not the taking over of these States but only relates to the question of vesting of properties? The States have already been taken over.

Maulana Hasrat Mohani: I am speaking only on properties.

Mr. Chairman: It is now 1 O'clock. The honourable member may resume after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. Speaker: The House was considering the Honourable the Home Minister's Bill to provide for the vesting of certain properties belonging to the States of Mangrol and Manavadar in Kathiawar. We may resume the discussion.

مولانا حسرت موھانی : جنابعالی ! میں سب سے پہلے ایک غلط فہمی کو دور کر لینا چاھتا ھوں - میں نے جو اس بل کو اپوز کیا تو اس لئے کہ بہت سے دوستوں نے مجھ سے پوچھا کہ تم کہاں سے ریاستوں سے وکیل بن کر کھڑے ھو گئے - میں تو ایک کمیونسٹ خیال کا آدمی ھوں ایسے آدمی سے یہ کہنا کہ وہ ریاستوں کی وکالت کرے ایک عجیب سی بات معلوم ھوتی ھے - میں چند الفاظ میں اپنی پوزیشن صاف کر لینا چاھتا ھوں - میں تو ریاستوں کا سب سے بڑا دشمن اور مخالف ھوں جو ایٹیٹیوڈ (attitude) ھمارے جواھر لال کا تھا کہ تمام ریاستوں کو فنا کر دینا چاھئے - وھی میرا بھی ھے -

[مولانا حسرت موہانی]

(آنریبل سردار ولبھ بھائی پٹیل : مہری نہیں ہے) ہمیشہ سے مہری یہی رائے ہے - آپ کہیں ایک بھی پرانسٹ دکھلادیں کہ میں نے اس کے خلاف کہا ہو - میں یہ کہنا چاہتا ہوں کہ اگر ریاستوں کو مٹا دیا جائے تو ان کی بجائے کیا چیز ہو - میں اپنے دوست پٹیل صاحب کی بڑی قدر کرتا ہوں اور میرے دل میں ان کی بڑی عزت ہے - یہ جو انہوں نے کہا کہ ریاستوں کو کسی نہ کسی طرح ختم کر دیا یہ بہت اچھا کیا کہ یہ تو میری رائے کے موافق ہے لیکن سوال یہ ہے کہ مرجر کرنے کے بعد آپ نے کیا کیا - چاہئے تو یہ تھا کہ چھوٹی چھوٹی ریاستوں کو مرج کرکے آپ بڑے گروپ بناتے - اس گروپ کو بناکر آپ اس کو ایک پراونس قرار دیتے اور اس پراونس کو بھی اس طرح سے آزاد کرتے جیسے کہ اور پراونسز پہلے سے موجود ہیں - اور میری تو ہمیشہ سے یہی رائے رہی ہے کہ ہندوستان کا کانسٹی ٹیوشن بھی ایسا بنے کہ یہاں ایک "Federation of independent socialists republics of India" ہو - آپ چاہے جتنے گروپ بنادیں اور چاہے جتنی ریاستوں کو فنا کریں - لیکن جو آپ کا گروپ بنے اسے پراونس کا درجہ دیجئے اور اس کو سوویٹ سوشلسٹ سسٹم بنا پر لاؤ رکھئے اور پھر ایسا فیڈریشن بنالیں تب تو ٹھیک ہو سکتا ہے - تب تو میں آپ کی تائید کرونگا کہ آپ بہت اچھا کر رہے ہیں - لیکن آپ ایسا نہیں کر رہے ہیں - آپ تو چھوٹی چھوٹی ریاستوں کو حزف کرکے ایک یونٹری نازی اسٹیٹ قائم کر رہے ہیں - میں اس کے سخت خلاف ہوں کوئی وجہ نہیں کہ آپ چھوٹی چھوٹی ریاستوں کو فنا کر دیں اور انکو ملانے کے بعد کوئی سو شلسٹ اسٹیٹ قائم نہ کریں بلکہ اپنی ایک یونیٹری گورنمنٹ قائم کریں اور وہ بھی نازی ٹائپ کی - یہ ویسا ہی ہوا ہے جیسا کہ جرمنی میں سب ریاستوں کو ملاکر ایک نازی اسٹیٹ قائم کی گئی تھی - میں اس کے سخت خلاف ہوں - اور میں اپنے دوست پٹیل صاحب سے اپیل کرتا ہوں کہ وہ اس کا لحاظ کریں - کیا فائدہ رہا کہ تاریخ میں آپکا نام کلایو - ہیسٹنگز اور ڈلہوزی کے ساتھ لیا گیا کیونکہ انہوں نے بھی چھوٹی چھوٹی ریاستوں کو فنا کرکے ایک انگریزی ریاست قائم کی اور وہ بھی نازی ٹائپ کی - آپ بھی اس کی تائید اور اسکی پیروی کرنا چاہتے ہیں - اگر آپ یہ سمجھتے ہیں کہ جو آپ نے کیا ہے وہ ٹھیک کیا ہے تو آپ اسکا اعلان کیجئے کہ جتنے گروپ آپ بناتے ہیں.....

Mr. Speaker: Is the honourable member discussing Government's policy with regard to States?

Maulana Hasrat Mohani: No, no. I was only removing some doubt. Some friends objected to my taking up the cause of the States. So I said this.

Mr. Speaker: Honourable member might say anything that he has to say about Mangrol and Manavadar; he can make general remarks, but cannot go into details.

مولانا حضرت موہانی : میں نے یہ اپنی ذاتی ایکسپلینیشن کے طور پر کہہ دیا - مجھکو اس میں کچھ زیادہ کہنے کی ضرورت نہیں ہے -

اب میں یہ عرض کرنا چاہتا ہوں کہ میں اس وجہ سے اس بل کی مخالفت کرتا ہوں کیونکہ اس میں پہلے پریمبل میں لکھا ہے

"And whereas it is expedient to provide for the vesting of certain properties belonging to the said states:"

اس میں تو آپ لکھتے ہیں کہ یہ چیزیں اسٹیٹ کی ملکیت ہیں - لیکن جو آپ نے بعد میں فہرست دی ہے - اس میں یہ اسٹیٹ کی ملکیت نہیں ہیں بلکہ وہاں کے لوگوں کی ذاتی ملکیت ہیں - اس میں شیخ عبدالخلیق کا نام ہے اور دوسروں کے نام ہیں - مطلب یہ ہے کہ یہ چیزیں ان کی پرائیویٹ ملکیت میں ہیں آپ کہتے ہیں کہ انہوں نے یہ ناائق حرکت کی کہ پاکستان کا نام لیا - میں اس بحث میں نہیں پڑنا چاہتا - اگر آپ ان کو سزا دینا چاہتے ہیں تو دیجئے - لیکن دنیا میں آج تک یہ ظلم کہیں نہیں کیا گیا جو آپ کر رہے ہیں - آپ نے یہی جونا گڑھ میں کیا اور یہی آپ یہاں ریپیٹ کر رہے ہیں - میں نے اس وقت بھی آپ سے کہا تھا اور پھر کہتا ہوں کہ جو سب سے بڑے امپیریلسٹ ٹرکی کے خلیفہ تھے - ان کی بھی خلافت جب ترکوں نے ختم کی تو جو روپیہ سلطان عبدالمجید کے نام سے بیلکوں میں جمع تھا یا جو شیرس تھے ان کو نہیں کیا - بلکہ وہ اُن کو ہی دیا اور اُن کے بعد اُن کے لڑکوں اور پوتوں کو ملا - وہاں پر آپ کی طرح نہیں کیا گیا کہ کہڑے ہو کر کہہ دیا کہ وہ اسٹیٹ تھی اس لئے ہم اس کو جلنا چاہیں دے لیں - میں کہتا ہوں کہ آپ کا یہ دعویٰ نہیں غلط ثابت ہوتا ہے - آپ نے سیکشن ۹ میں لکھا ہے کہ کوئی معاملہ عدالت کے سامنے پیش نہیں ہو سکتا - کہیں آپ خوف زدہ ہیں اس سے - اگر آپ کو اپنے پر اعتبار ہے کہ یہ اسٹیٹ کی ملکیت ہے پرائیویٹ نہیں ہے تو اگر کوئی شخص دعویٰ کرے تو آپ کو اُس کا جواب دینا چاہئے آپ جو کہتے ہیں کہ کوئی معاملہ عدالت میں نہ پیش ہو اس سے یہ معلوم ہوتا ہے کہ آپ کے دل میں چور ہے کہ اگر یہ عدالت میں جائینگا تو ہم ہار جائیں گے - میں یہ ایک ثبوت پیش کرتا ہوں کہ جس سے معلم ہوگا کہ یہ پرائیویٹ ہیں - یہ ہرگز اسٹیٹ کے نہیں ہیں - میں آپ سے یہ پوچھتا ہوں کہ جتنے شیرس اور بانڈس جن جن لوگوں کے نام ہیں کیا وہ اب تک ایسے ہی پڑے ہوئے تھے - میں کہتا ہوں کہ آپ معلوم کر لیجئے کہ اُن سے جو فائدہ ہوتا تھا وہ اسٹیٹ کے خزانے میں جاتا تھا یا عبدالخلیق اور نصیر الدین کی جیب میں جاتا تھا اگر یہ ان کے پاس جاتا تھا تو یہ انہیں کا ہے اور سٹیٹ کے حساب میں جاتا تھا تو اسٹیٹ کا کہا جا سکتا ہے - ایک اور شیو

[مولانا حسرت موهانی]

یہ ہے کہ اس میں باز چیزیں ایسی ہیں جو وقف کے طور پر ہوئی ہیں - یہ جو آپ نے کہا ہے کہ یہ ملکرول اسلامی چیر ٹیبل ٹرسٹ ہے - تو اس میں کیا ہے - اس میں ان کی حیثیت پراپرایٹر ہے مگر وہ متولی ہیں - یعنی وہ رقم انہیں کو ملیگی مگر وہ اُس کو اپنے پاس نہیں رکھیں گے لیکن جن چیزوں کے لئے وقف ہے ان کو دے دینگے میں کہتا ہوں کہ کم سے کم جتنی پراپرٹی وقف شدہ ہے اس پر قبضہ کرنے کا آپ کو کوئی حق نہیں ہے - اس پر آپ کوئی میجسٹریٹ مقرر نہیں کر سکتے - کیا آپ میجسٹریٹ کو متولی بنا دینگے - متولی وہی رہیں گے شیخ ملکرول اور جو وقف شدہ جائداد ہے وہ انہیں کو ملیگی کسی کو حق نہیں ہے کہ وہ وقف شدہ پراپرٹی کو کسی اور کے نام منتقل کر لے- اور اگر آپ یہ ہی کہتے ہیں تو پہلے اپنا وقف کے متعلق قانون پاس کیجیئے ابھی وہ یہاں کے کانسٹی ٹیوشن میں نہیں آیا ہے - جب آئے گا تب ہم دیکھیں گے کہ آیا آپ وقف شدہ پراپرٹی کو غصب کر سکتے ہیں یا نہیں -

میں اس بل کی اس لئے مخالفت کرتا ہوں کہ inconsistent ہے آپ کبھی کہتے ہیں کہ اسٹیٹ کی ہیں کبھی ان کی پرائیویٹ ہیں- اگر آپ یہ کہتے ہوں کہ کہیں اسکو کوئی بیچ نہ سکے تو اس سے آپ کی کمزوری معلوم ہوتی ہے- اس کے بعد آپ کبھی کسی کی خوشامد کرتے ہیں کبھی کہیں پولیس ایکشن لیتے ہیں کبھی کسی کو ڈراتے ہیں اور پھر next step یہ ہے کہ bribery سے آپ سب کو شامل کرنے کی کوشش کرتے ہیں -

The Honourable Sardar Vallabhbhai Patel: I protest against the allegation of bribery and corruption. He said that the Instrument of Accession was obtained by giving bribes. The honourable member must withdraw the allegation.

Mr. Speaker: Has the honourable member made those allegations?
Maulana Hasrat Mohani: Unless I explain.....
Honourable Members: Withdraw.
Maulana Hasrat Mohani: I withdraw the word.

میں bribery کو جوکہہ رہا تھا تو اس کے Actual معنوں میں نہیں کہہ رہا تھا - میں یہ کہنا چاہتا تھا کہ بعض لوگوں کو آپنے یہ لالچ دیکر کہ راج پرمکھ بنا دینگے-

Mr. Speaker: The honourable member is going into irrelevant matters, matters with which we are not concerned. He has to restrict his remarks to the Bill.

مولانا حسرت موهانی : میں یہ عرض کر رہا تھا کہ یہ Dangerous پالیسی ہے کہ کسی چیز پر قبضہ کر کے اور اسکے بعد یہاں پر بل پیش کر کے پاس کرتے ہیں اور اس کو قرار دیتے ہیں - کہ وہ جائز ہو گیا - میں کہتا ہوں کہ اگر یہ طرز عمل قائم رکھیں گے تو خدا کا خوف بھی کیجیئے - کہ آپ کہیں خود ہی اس مصیبت میں نہ مبتلا ہو جائیں اور آپ پر کوئی مصیبت نازل نہ ہو جائے - یہ آپ کو اختیار ہے کہ

جو بل چاهیں آپ پاس کریں سوائے میرے اور کوئی اس کی یہاں مخالفت کرنے والا نہیں ہے -

Shri Brajeshwar Prasad: I wish to raise a point of order. I wish to know whether the honourable member is relevant in saying that the curse of God will fall on our heads.

Mr. Speaker: Let him speak. Order, order.

مولانا حسرت موهانی : میں یہ عرض کر رہا تھا کہ انڈین پارلیمنٹ آپکے قبضے میں ہے آپ جو کچھ چاهیں پاس کرلیں اس خیال پر کہ مناسب غیر مناسب جائز ناجائز سب کچھ پاس ہو جائیگا -

میں مثال دیتا ہوں کہ یہاں پر جو Securities ہیں اسکو برٹس پارلیمنٹ میں پاس کر دیا جائے کہ اب هندوستان کو نہ دو تو چونکہ برٹش پارلیمنٹ پر ان کا قبضہ ہے وہ فوراً ہی پاس ہو جائیگا - اور عربوں روپیہ کا آپ جو مطالبہ کر رہے ہیں جس کے لئے چرچل بھی کہہ رہا ہے کہ اب هندوستان کو کچھ نہ دو اس لحاظ سے مجھکو بہت خطرہ ہے کہ کہیں کوئی وقت ایسا نہ آ جائے کہ خدانخواستہ آپکو یہ جو کمیونسٹ پاور پھیل رہی ہے چترال کی طرف سے دبانا چاہے اور وہ یہ کہے کہ سوہیت گورنمنٹ بھی پولیس ایکشن کر رہی ہے -

They cannot tolerate any hostile forces on their side.

Mr. Speaker: Order, order. The honourable member is going beyond the limit.

مولانا حسرت موهانی : یہ دلیل جو آپ نے حیدرآباد کے لئے پیش کی تھی

(interruption).

خیر میرا مطلب یہ ہے کہ جو جو بل آپ پاس کرنا چاهیں پاس کر لیں لیکن آپکو یاد رکھنا چاهیئے -

You will have to regret for all this.

(English Translation of the above speech)

Maulana Hasrat Mohani (U.P.: Muslim): Sir, with all the emphasis at my command I oppose the motion just moved by my friend Sardar Patel about Mangrol and Manavadar. The policy, that has been adopted by the Indian Government, is in fact very bad. I strongly oppose the policy adopted about the Rulers of Indian States and specially about smaller states. What is the meaning of this policy that you are going to adopt about these Rulers? What does your behaviour show? In the times of the British Government I myself, Sardar Patel and all the other followers of Congress used to censure rulers of India like Canning, Dalhausie, Hastings and Clive. What they did was that they annexed all the states and told the rulers to go and beg for their living, or else they fixed for some of them small pensions. Do you not remember that they annexed the whole of the State of Lahore and Punjab and turned out the ruler on the plea that his administration was not proper. They baptized Dalip Singh the grand son of Maharaja Ranjit Singh and later sent him to Europe. What they did in Oudh? They dethroned and pensioned off Wajid Ali Shah on the pretext that his administration was not good. But they at least did so much as to grant them pensions. But what you are doing?

[Maulana Hasrat Mohani]

Out of the numerous smaller states Mangrol and Manavadar are two of them. At first they wished to accede to Pakistan. I am not a supporter of Pakistan. But as far as justice goes everybdoy was allowed to opt to any Dominion he liked and these states expressed their desire of acceding to Pakistan, then what objection could you have on their choice. But you first of all inflicted upon them a penalty by forcibly annexing the states and after annexation you did not meet out to them the same treatment as you meted out to other states, *i.e.*, you did not allocate to them any share of the income, and what to say of share you did not even grant them any pensions, etc.

Mr. Chairman: May I remind the honourable member that the question involved in this Bill is not taking over of these states but only relates to the question of vesting of properties. The states have already been taken over.

Maulana Hasrat Mohani: I am speaking only on properties.

Mr. Chairman: It is now 1 O'clock. The honourable member may resume after Lunch.

The Assembly then adjourned for Lunch till Half-Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. Speaker: The House was considering the Honourable the Home Minister's Bill to provide for the vesting of certain properties belonging to the States of Mangrol and Manavadar in Kathiawar. We may resume the discussion.

Maulana Hasrat Mohani: Sir, first of all I wish to clear a misunderstanding. As I opposed this Bill a number of my friends have asked me as to why I stood up to plead the cause of the states. I am a man of Communist leanings. It seems quite strange for such a person to take up the cause of the states. In a few words I like to clear my position. I am the greatest enemy and adversary of the states. I also maintain the same attitude as Jawaharlal maintained that all the states should be liqidated. (*The Honourable Sardar Vallabhbhai Patel*: "I do not hold this view.") Ever-since I have been holding this view. I ask you to quote a single instance where I may have said to the contrary. But what I want to say is that if states are liquidated then what should take their place. I have a great esteem for my friend Sardar Patel and I highly honour him. His action that by one way or the other states have been liquidated, is praiseworthy. This action is in accordance with the views I hold. But the question is what have you done after the merger? The proper action would have been to merge smaller states to form big groups, the group would have been declared Provinces and Provincial Autonomy granted to these also as is in existence in other provinces. I have held this view since long that the constitution of India be so drafted as to incorporate a federation of independent socialistic republics of India. You may form as many groups as you like and liquidate as many states as you desire. But you must give these groups the status of a Province and instal them on the lines of the Soviet Socialistic System and then constitute your federation, and then only can it be proper. Then only will I support you and say that you are doing something very good. But you are not doing so. You are creating a Unitary Nazi State by merging these smaller states. I strongly oppose this move. There is no reason why you should not establish a Socialist System after liquidating these smaller states instead of establishing a Unitary Government of your own and that also of the Nazi type. This all has been done on the same llnes as was done in Germany whore

all the states were merged and a Nazi State established. I am strongly against such a move and I appeal to my friend Sardar Patel to have regard for this. What is the fun if in history your name is mentioned along with Clive, Hastings and Dalhousie because after liquidating smaller states they too established the British Empire, an Empire also of the Nazi type. You also want to support the action and step into their shoes. If you think that whatever you have done is right then make an announcement that the groups that you form . . . . . .

Mr. Speaker: Is the honourable member discussing Government's policy with regard to states?

Maulana Hasrat Mohani: No, no. I was only removing some doubt. Some friend objected to my taking up the cause of the states. So I said this.

Mr. Speaker: Honourable member might say anything that he has to say about Mangrol and Manavadar; he can make general remarks, but cannot go into details.

Maulana Hasrat Mohani: I mentioned all this as my personal explanation. I do not think it necessary to mention anything more in this connection.

Now I beg to submit that I want to oppose this Bill for the reasons that in its preamble it is mentioned:

"And whereas it is expedient to provide for the vesting of certain properties belonging to the said states."

Herein you mention that these properties belong to the State but in the list that you have submitted in the end these are not mentioned as State property but the personal property of the people of those states. Besides other names the name of Sheikh Abdul Khaliq is also there, meaning thereby that these are their private properties. You say that they did an improper act by acceding to Pakistan. I do not want to discuss this point. If you want to punish them for this do punish them, but throughout the whole world such outrage has never been committed as you are perpetrating today. This you did in Junagadh also and the same you are repeating here. I warned you then also and today I tell you again that when the Truoka ended the Caliphate of the greatest Imperialist of the day the Caliph of Turkey even then the sums of money that were in Banks against the personal name of Sultan Abdul Hamid or the shares held by him were not touched. But instead these were left with him and subsequently inherited by his sons and grandsons. There it was not done as you have done that you make an announcement that as all the property belonged to the State so you are authorized to give as much as you like. I say that your declaration proves to be incorrect on merits. In Section 9, you have laid down that no matter can be referred to a law court for the reason that you are afraid of the legality of the point. If you are confident that these properties belong to State and are not private then you should be prepared to give an answer if anyone lays a claim for them. Your allegation that no matter can be referred to a law court clearly shows that you have a skeleton in the cupboard and that if the matter is taken to a law court you will lose the case. I quote a proof that would show that these are private properties and do not belong to State. I want to ask of you whether the shares and bonds standing in the names of the various persons were lying as such giving no profit to them. I ask you to enquire if the profits were credited to the State Treasury or went to fill the pockets of Abdul Khaliq and Nasiruddin. If the profits were credited to their personal accounts then these shares and bonds belong to them and if to the State Treasury then these can be taken to be State property. Another proof is the fact that there

[Maulana Hasrat Mohani]

are some such things which are Waqf properties. Your allegation that Mangrol is an Islamic Charitable Trust has no force. The status in private but they are *Mutawallis* meaning thereby that the profits will go to them but they will not utilize the money for personal use but will spend it over those items for which *Waqf* has been created. I declare that you have no right to take possession at least of the *Waqf* property. You cannot appoint any manager for this property. Will you make the Manager the *Mutawalli*? Sheikh Mangrol only will remain as *Mutawalli* and the *Waqf* property will be vested only in him. No one has got the right to transfer the *Waqf* property to any one else, and if you insist then first pass an act concering *Waqfs*. Such an Act has not yet been incorporated in the constitution. When such a Bill will come before us then we will see whether you can mis-appropriate Waqf properties or not.

I oppose this Bill for it is inconsistent as sometimes you hold them to be, state properties and sometimes private. If yon say that this is to prevent the sale of these properties then it shows your weakness. Then afterwards you flatter some and sometimes resort to police action against others, you sometimes intimidate them and the next step is that you try to merge others by giving bribes.

The Honourable Sardar Vallabhbhai Patel: I protest against the allegation of bribery and corruption. He said that the Instrument of Accession was obtained by giving bribes. The honourable member must withdraw the allegation.

Mr. Speaker: Has the honourable member made those allegations?

Maulana Hasrat Mohani: Unless I explain .....

Honourable Members: Withdraw.

Maulana Hasrat Mohani: I withdraw the word. I was not referring bribery and corruption in the actual sense of the words.

I wanted to say that you by allowing some people that you would make them Rajpramukhs.....

Mr. Speaker: The honourable member is going into irrelevent matters, matters with which we are not concerned. He has to restrict his remarks to the Bill.

Maulana Hasrat Mohani: I was submitting that this is a dangerous policy that a thing is usurped first and then afterwards a Bill is presented here to declare that the action is legalized. I say that if you will continue to adopt this practice then you should also be afraid of the wrath of God so that you yourself may not bo involved in some difficulty, and some misfortune may not befall you. You are empowered to pass any Bill you like as here there is none except I to oppose it.

Shri Brajeshwar Prasad: (Bihar: General): I wish to raise a point of order. I wish to know whether the honourable member is relevent in saying that the curse of God will fall on our heads.

Mr. Speaker: Let him speak. Order, order.

Maulana Hasrat Mohani: I was saying that the Indian Parliament is in your control so you may get whatever you like passed, thinking that everything whether proper or improper legal or illegal will be passed. For example if the British desire that India may not be given the securities held by her then as the British Parliament is under their control the motion will readily be

passed. Then what will happen of those thousands of millions of rupees that are claimed by you and about which Churchill has declared that it must not be given to India. For this reason I am much afraid that God forbidding such a time may not come when the Communist power that is fast spreading may wish to smother you from chitral side saying that the Soviet Government also is resorting to police action. They cannot tolerate any hostile forces on their side.

Mr. Speaker: Order, order. The honourable member is going beyond the limit.

Maulana Hasrat Mohani: The argument advanced in the case of Hyderabad (*Interruption*).....In the end I mean to say that you may pass whatever Bills you like but you should remember that you will have to regret for all this.

Shri Biswanath Das (Orissa: General): Sir, the discussion in this House, especially the speech of my honourable friend Maulana Hasrat Mohani has come as a shocking surprise to us. We have found Maulana Hasrat Mohani in an absolutely different garb from what he was wearing when he was in the Congress. The years have changed him, and for the worse. He has showered his curses not only on our heads, humble beings, but in the head of one whom we love and revere. Let me tell the Maulana plainly that if any Ministry has acted with capacity, patience and magnanimity, it is the States Ministry: ('Hear hear').

Sir, Britain took away the idea of a divided India. Britain divided India into two, Pakistan and India. Not being satisfied with this, she had created 600 different Indias, big and small. May the States Ministry and the Deputy Prime Minister be blessed and may God shower His blessings on him and his activities in giving us an United India within the short space of fourteen or fifteen months. I should have expected the Maulana that with his experience and with his wisdom, he should come to bless the activities of the Ministry. (*Interruption*). Well, you would not and that is all the more glory to you. What are we hearing here, all curses after 25 years' association with the Congress. Why this change? Heaven knows and he, the Moulana, himself knows. It is difficult for me to explain. Sir, Not only this, I thank my honourable leader for having foiled the mischievous machinations of Pakistan against India, although India always declared at the top of its voice: "We are your friends; we are your brothers". What is that machination? That machination was to take away from us areas which are justly our own. We could have taken Bahawalpur; we refused to do that; we knew the people are mainly Muslims and it was their right to decide for themselves and we left them at that. That was not done by Pakistan. So instead of cursing Pakistan as a national of India, does it come from his mouth to say now: "I curse you and the Deputy Prime Minister".

Mr. Speaker: Let not this dwindle into a controversy any longer. Let us come to the subject of the Bill.

Shri Biswanath Das: I am coming to it. I am discussing the subject-matter. I will invite the attention of my honourable friend even to a reactionary report like that of the Butler Committee. Sir, I refer him to page 15, paragraph 21. What is said there? The Butler Committee recommends that the paramountcy could be exercised by the Government of India itself in the interests of the people of India. British paramountcy has gone, but it has reverted to the people, to the people of the States and to the people of India and this is recognized even in so reactionary a report as the Butler Committee's Report. Sir, if the Government of India had not done what they did, they would have been cursed by the people of India, you and myself, and even my lady friend, who has the honour to represent the United Provinces here.

Maulana Hasrat Mohani: On a point personal explanation, I never agreed to any separate Pakistan. I opposed it up to the last moment, even when Sardar Patel and Pandit Jawaharlal Nehru accepted the partition. I never accepted it. Everybody knows that. My honourable friend is saying that I have been advocating Pakistan.....

Shri Biswanath Das: I did not say.

Mr. Speaker: Honourable members should restrict themselves only to the Bill and not deal with the general aspects of the Bill.

Shri R. K. Sidhva: Mr. Speaker, I rise to support the principle of this Bill. Before the recess, Sir, the honourable Maulana Hasrat Mohani stated that the rulers of the Mangrol and Manavadar were only willing to accede to Pakistan, but by a forcible method the extraction was obtained by the States Ministry to accede to India. Sir, this is a most mischievous statement. Both these rulers had agreed and actually signed the document without anybody's insistence to accede to the Union of India. It is quite the reverse and at the pressure of the Pakistan Government, whosoever individuals they may be, the ruler backed out from it later on and stated that he wanted to accede to Pakistan. Who pressed it? At whose instigation this was done? Originally the ruler willingly accepted and signed the document, Sir, which is in the possession of the States Ministry. It has been proclaimed times out of number that they have acceded to India and subsequently, it was withdrawn, and to come and state here, Sir, that the States Ministry forcibly extracted this document is most mischievous and most objectionable, knowing fully well that it was quite the reverse. I do not want, Sir, as you stated, to refute all the arguments that have been advanced by my honourable friend about the feudal state and his own view about these various states and what he thought of them. I do not want to say anything on this because you stated that you do not want to have any controversy in this matter. However, I cannot refrain from stating that if he really believed that these mergers and these feudal states have been really a blessing, then he would have welcomed all what has happened today in the 600 states that have merged or acceded to India. It was really a miracle and the whole nation and the whole world is so jubilant that within a twinkling of an eye, all the states have come to the real position. and if my honourable friend really believes in the socialism, as he states, I am really surprised at what he believes in. I have been following him for the last 25 years. (*Interruption*) It is therefore I said, Sir, that some of the remarks could not go unnoticed in that House when they were most mischievously made. Sir, I do not want to say anything further, but I do state he has deliberately made a mischievous statement and I understand he is a person who has been drawing a pension from the various states.

Shri Jainarain Vyas (Jodhpur State): When Maulana Hasrat Mohani stood on his legs, it struck me that he with his Communist tendencies, would speak in favour of liquidating the properties and liquidating the Princely Order itself, but I was wonder-struck Sir, when I heard the Maulana pleading the cause of Sheikhs and Khans in the name of God. Although I am not a Communist, I hear that the Communists are in favour of a God-less and class-less society and here the Maulana is pleading both for God and for a particular class of people, who are called the Rulers. I cannot congratulate the Maulana for this, but I must congratulate the rulers of those blessed States for getting an advocate in him.

Sir, I would not go into the details of the task which the Maulana has given to us about the Socialist Republic, Nazi State, *Khuda ka Khof* and so many other things, but I must draw the attention of our esteemed Maulana that this Bill is to provide for the vesting of certain properties belonging to the States of Mangrol and Manavadar and not for confiscating the properties of these

States. Let the Maulana rest assured that these properties are not being confiscated, but we are going to have some management and that management will vest in the hands of a Manager who will manage the States. Now the Maulana may say: "Leave the States to their own fate. Let the Nawabs and Sheiks who are far off manage it by a magic wand". But that is an impossible thing and I cannot understand why the Maulana is asking for an impossible thing. The Maulana says that some of the properties have been ear-marked for *Wakf* or charitable purposes. The Manager would see to it that if they are for charitable purposes, they will be used for charitable purposes; they will not be squandered away. I object to his saying that by managing the estates we are acting as Nazis and this Parliament which is under the Sardar Saheb would not have raised its voice because it is under him. This Parliament is a sovereign body and even if the Sardar Sahib is opposed to the Parliament, Parliament would remove the Sardar Sahib, with due regard which we have for Sardar Sahib and in spite of all that the Sardar Sahib has done for us. To say and speak in this manner about Parliament is just belittling ones own self.

3 P.M. Parliament includes a lot of people like the Maulana and I cannot understand the Maulana saying that we are acting just like the Nazis. With all the powers I have got I tried to find out how we are acting as Nazis when we are doing so much good for the States.

Maulana Hasrat Mohani: Are you not establishing a bigger Federal State?

Shri Jainarain Vyas: The only sin that Sardar Sahib has committed is that in place of so many hundreds of States he has brought into existence only a few States, and instead of handing over the management of these States to absentee landlords, he has given it over to managers who are working under the supervision of Parliament and if they do anything wrong they will be questioned and removed. I do not know what is the sense in opposing an innocent Bill like this. Of course, Maulana Sahib is a Communist and therefore he opposes this. If anti-Communist action was the charge of the Maulana I would not say anything. Now, in spite of his Communist tendencies, in spite of his past advocacy of a godless and classless society, he is advocating for the property for Princes. Instead of taking things by force, we are managing by law and as such I do not see where the harm is. I hope the Maulana Sahib will withdraw his opposition and let the Bill pass unanimously.

The Honourable Shri Satyanarayan Sinha (Minister of State): The question be now put.

Mr. Speaker: The question is:

"That the question be now put."

The motion was adopted.

The Honourable Sardar Vallabhbhai Patel: I would not have said anything in reply to a lot of irrelevant matter that has been introduced in the debate. Maulana is an old friend, and I was under the impression that he believed in God. But when he himself says that he is a Communist, then to him religion is the opium of mankind.

Maulana Hasrat Mohani: Is there any difference between communalism and religion?

The Honourable Sardar Vallabhbhai Patel: I would have been frightened by his invocation of the Divinity for a course, but when I find he is ungodly, it does not frighten me at all.

I will not try to answer the irrelevant matter that has been introduced in the debate. It is unfortunate that in a simple, uncontroversial measure of this kind, any irrelevant matter likely to be misunderstood, or to create an

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atmosphere of hatred should be introduced. We are a responsible House, a sovereign Legislature. It is not a meeting of *Ulemas*, or *Maulanas* or Congress Committees or the Pakistan League, or anything of that kind. Here we are discussing a serious matter in which frivolities have no place. I am sorry to say that this is not the first time that the Maulana who introduced this irrelevant matter has strayed outside his path. The real fact is that he has not really understood what the Bill means. He is carried away by his prejudices, when he says that I am responsible for partition, or Pandit Jawaharlal is responsible, God knows whether those who were not for Partition were not really responsible for this. It is difficult to say whether those who advocated against partition did not want this country to be partitioned, not in two parts but in many parts. Therefore it is very difficult to understand such people. They say one thing but mean another.

In the morning session he spoke about Dalhousie and Dalip Singh and all sorts of irrelevant things. Last week or ten days ago Dalip Singh's granddaughter came to me and said "What are you going to do about Lahore. It belongs to me? Are you going to deliver it to me?" I said it is beyond my power to do anything. If Dalip Singh had not been taken away, there would have been no partition.

All this irrelevant talk, I am unable to understand. Therefore, I would only confine myself to the measure about which one or two things have been said and which I would like to answer. As I have said he has not understood it. He thinks I am going to appropriate the property referred to in the Bill for my own benefit or for that of the Government of India. It is not so. This property belongs to the States of Manavadar and Mangrol, namely, to the people of those States. That is to say, if this money is misappropriated or allowed to be misappropriated, the responsibility falls on the Government of India, and I as the representative, of the Government of India am bound to protect the interests of these people. Therefore this is not a Nazi measure: this is an anti-Nazi measure. It protects the interests of the people. What I have done uptil now, so far as the States are concerned, has been done with the agreement of the Princes and the people. Not a single step uptil now has been taken in which either the people or the Princes have complained, except the Maulana and that too without a case! He complained about Junagadh: now he complains about Manavadar and Mangrol: and he complained, in the case of Hyderabad, but never about any other State! As he is unable to defend his position he puts all the States in a lump and make an irrelevant argument. Therefore it is not proper for this House at this stage to introduce such a debate as would create misunderstanding outside. I have willingly agreed to partition and I wish well to both partitioned countries. I have no ill-will towards either of the parts. At least for this side I can have no ill-will. For the other part I have every good wish. I have not been accustomed to talk with my tongue in my cheeks, or to say one thing and mean another. It is no use charging the Government of India with any evil designs in such paltry things. The property involved, as my honourable friend, Mr. Sidhva wanted to know is this: in the case of Mangrol the total property is worth Rs. 19.9 lakhs and in the case of Manavadar it is worth Rs. 14.8 lakhs. In the affairs of the administration of the Government of India, what is this property that we want and for whose benefit? The property is to be administered for the benefit of the people of the Manavadar and Mangrol States, and as a humble servant of the State, I am bound to protect these interests. Therefore the real point in this Bill is whether there is anything against the interests of the people.

He has suggested one matter that deserves consideration. There are some securities which relate to *Waqf* property. It is not our intention to touch his

property for any other purpose than the purpose for which it is earmarked or or intended.

One of my honourable friends has given notice of an amendment. I have myself drafted an amendment or a proviso to meet the purpose contemplated by the honourable member's amendment.

I never thought that this measure would take more than five minutes. It is a sheer waste of the time of the house, I should say a criminal waste of the time of the house, to have conducted the debate in the manner in which it has been. I am sorry to use this strong language but I cannot absolve the honourable member of his very serious responsibility and the serious abuse of the position that he is enjoying in this House.....

Maulana Hasrat Mohani: I take the fullest responsibility.

The Honourable Sardar Vallabhbhai Patel: .....by raising issues in the debate of a very controversial nature, which are likely to do harm and no good.

Mr. Speaker: The question is:

"That the Bill to provide for the vesting of certain properties belonging to the States of Mongrol and Manavadar in Kathiawar in the Managers of the said States, be taken into consideration."

The motion was adopted.

Mr. Speaker: The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. Nasiruddin Ahmad (West Bengal: Muslim): Sir, I have an amendment to this clause. But if the Honourable Minister moves his own amendment that would suffice as it is on the same line.

The Honourable Sardar Vallabhbhai Patel: Sir, I move:

"That to clause 4 of the Bill, the following proviso be added:

'Provided that where any of the said properties was, immediately before the first day of November 1947, subject to any trust lawfully created, the Manager shall, in the exercise of his powers in relation to such property be bound by the terms of that trust'."

Mr. Speaker: Amendment moved:

"That to clause 4 of the Bill, the following proviso be added:

'Provided that where any of the said properties was, immediately before the first day of November 1947, subject to any trust lawfully created, the Manager shall, in the exercise of his powers in relation to such property be bound by the terms of that trust'."

Mr. Nasiruddin Ahmad: With regard to the amendment moved by the Honourable Minister himself I fully support it, because it is on the lines of my own amendment. The only thing that I desire the Honourable Minister to do is to carefully inquire into the matter as to whether the *Waqf* was really effected and if that is so the whole thing will be all right.

The Honourable Sardar Vallabhbhai Patel: Oh, yes. I have no doubt about it.

Mr. Speaker: The question is:

"That to clause 4 of the Bill, the following proviso be added:
'Provided that where any of the said properties was, immediately before the first day of November 1947, subject to any trust lawfully created, the Manager shall, in the exercise of his powers in relation to such property be bound by the terms of that trust'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5, was added to the Bill.

Mr. Nazruddin Ahmad: Sir, I have an amendment to this clause but it is only a drafting amendment and not a substantial one and I hope it would be accepted by the Honourable Minister.

The Honourable Sardar Vallabhbhai Patel: I am not prepared to accept any more amendments to the Bill.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 to 12 were added to the Bill.

Mr. Speaker: Except amendment No. 5 the others are for the insertion of commas.

Mr. Nazruddin Ahmad: Sir, I beg to move:

"That in Part I of the Schedule to the Bill, in the heading of column 5 for the words 'in whose name standing', the words 'Person in whose name the properties stand' be substituted."

Or,

"That in Part I of the Schedule to the Bill, in the heading of column 5 for the words 'in whose name standing' the words 'Standing in whose name' be substituted."

Shri M. Ananthasayanam Ayyangar (Madras: General): Sir, the honourable member must have pursued it by another amendment saying "in whose custody."

Mr. Speaker: The Honourable Minister is not inclined to accept the amendment.

The question is:

"That the Schedule stand part of the Bill."

The motion was adopted.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

Mr. Nazruddin Ahmad: Sir, I have only one comment to make. With regard to the misunderstanding that has been created I have a duty to explain my position. In fact much irrelevant discussion, (has already taken place. The question is not accession,) because it is already an accomplished fact and it is not in dispute. The only question is where the property should be vested. As was clearly explained by the Honourable Minister on a previous occasion, vesting does not really destroy the right of anyone. It is only a formal legal matter. If there is any man who is interested in it his title will remain unaffected. It is only the administrator or manager that has been given the power to administer. In these circums-

tances I seek a clarification whether it is so. Where the title is clearly investigated by the Department and if the property really belonged to the person in whose name it stands his case should be considered. The effect of this Bill is not to destroy the title but to provide a machinery by which the property can be properly administered.

Mr. Speaker: The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

The Honourable Sardar Vallabhbhai Patel: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

UNITED PROVINCES PROVINCIAL ARMED CONSTABULARY (EXTENSION OF LAWS) BILL.

The Honourable Sardar Vallabhbhai Patel (Minister for Home Affairs and the States): Sir, I move.

"That the Bill to apply the law in force in the United Provinces relating to the United Provinces Provincial Armed Constabulary to members of the said Constabulary when serving outside the United Provinces, be taken into consideration."

This is a simple measure which has been necessitated from the fact that some of the U.P. Armed Constabulary have been brought to Delhi, and occasions have arisen when they have had to be moved for assistance in other areas outside the Province. Normally, the Act operates within the Provinces, and therefore when this Constabulary is taken out of the Province that Act does not apply for ordinary disciplinary purposes. For that purpose it becomes necessary that provision should be made of the nature contemplated in this small measure. I do not think any explanation or any debate is necessary on this. It is only intended for the purpose of giving disciplinary powers in respect of the forces that have been brought into areas outside the Provinces with the consent of the Provincial Government, during the period they are serving outside. Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill to apply the law in force in the United Provinces relating to the United Provinces Provincial Armed Constabulary to members of the said Constabulary when serving outside the United Provinces, be taken into consideration."

Shri H. V. Kamath (C. P. and Berar: General): Mr. Speaker, this Bill which the Honourable the Home Minister has just moved before the House seeks to accord statutory validation or recognition to an Ordinance which in its turn arose out of the employment of the United Provinces Provincial Armed Constabulary in Delhi or outside the Province during the last few months. If I remember aright, some units of the Central Provinces police force also were sent to Delhi during the disturbed months after the partition of India on 15th August 1947, and I believe some of them served in Delhi for a number of months. To my mind a cardinal principle arises in connection with this Bill and that is this. In the Statement of Objects and Reasons, the second sentence reads: "It was considered that the law applicable to the members of this force in the United Provinces in respect of their disciplinary control should be applicable to them when they are serving outside the United Provinces." May I ask the Honourable the Home Minister whether he does not consider that the time is ripe now for having one law, despite the

[Shri H. V. Kamath]

fact that police is a provincial subject, so far as disciplinary control is concerned, to be applicable to all the police forces all over India? The other day the Honourable the Home Minister himself in a speech—I do not remember whether it was at Baroda or Kathiawar or somewhere else, but the Press reported it—stated that he was, I believe, opposing or castigating those who were propagating very sedulously fissiparous and disruptive tendencies of various kinds in India,—he said that he was looking forward to the day when the whole of India would be administered as one unit. I welcome this idea propounded in his speech very recently and I whole-heartedly hope that that idea will be realised in his own life-time and that the whole of India will be administered as one unit ere long. I would say that we should take the first step in this regard and that is this, that so far as the security services are concerned, that is to say police and the army—there is one law for the whole Indian army—with the integration of the Indian States and with the fast developing and evolving unity of India it is high time we had laws which were common to all the police forces all over India in all the Provinces, especially so far as their discipline is concerned. To my mind in the future many contingencies and emergencies may arise when we may have to send police forces from one Province to another, and it is necessary for the integration of India also. Just as since a few years ago all the so-called Imperial Services used to be regarded as all-India services for matters of appointments and transfers and general control, so I think we must make a beginning with the security—law and order—services that they should be governed by uniform laws so far as their discipline and control are concerned, all over India. I would therefore request the Honourable the Home Minister to throw light on these two points: firstly, whether any of the units of the C.P. Police which were sent to Delhi during the disturbed months following the partition of India, are still working in Delhi or in any outside Province, and if that be so by what law their disciplinary control is governed. As the Bill refers only to the U.P. Provincial Armed Constabulary I want to know whether any of the other Provinces have sent their police to Delhi or outside their Provinces to function in times of emergency which arose recently, and if that be the case what law is to be applied in regard to thier disciplinary control. Secondly, I would very much like that he should tell the House how he proposes to proceed in the matter of integrating these security services, the law and order services. Just as the Army is one and governed by one law I would very much welcome his move, if he intends to take it at an early date, to integrate the police which is another key service or security service. If there had been a uniform law governing the disciplinary control of the police in India, there would not have been any necessity for a Bill of this nature. If there is no such law now, and if there is going to be no such law in the future, then in future when another Province sends a few units to Delhi or to an outside Province it may be necessary to bring a new Bill before the House and get it passed into law so as to make it applicable to that particular force sent to operate outside the Province. Therefore, is it not necessary to have a uniform law applicable to the disciplinary control of the police forces all over India? And therefore I would request him to throw light on this point: whether he intends to go ahead with the unification of the administration of the Indian police force—an idea which he propounded in one of his recent speeches—and if he does so, whether he will take action, so far as this matter is concerned, at an early date. I support the Bill.

Srijut Rohini Kumar Chaudhuri (Assam: General): I have no intention Sir, of inflicting any speech on the House; I rise only to seek certain clarifications. I am sure, Sir, everybody now realises that after the independence of India Delhi has become a City of very supreme importance, and it is also clear that the Delhi police force has to be largely augmented in order

to maintain peace in the capital That being so, I do not understand why instead of raising the necessary police strength, a position is being envisaged for the future where we have to borrow the police from the neighbouring Provinces.

Then, I have noticed in the papers that the United Provinces Government have decided to disband some of their Constabulary. If there is any truth in that information I would much rather prefer that instead of having a legislation of this kind the Delhi Police ought to absorb in their force the constables who were borrowed either from the C.P. or from the U.P.

Furthermore, if there is any necessity of borrowing police from anywhere, I suppose the best place from where they can be borrowed is Bihar. In our own Province we have recruited a fairly large number of them. Their general build, their upturned moustaches, their whiskers, are sufficient to create terror in the minds of any mischief-mongers. (*An Honourable Member*: Is that personal experience?). My honourable friend the Honourable the Deputy Prime Minister must have noticed these constables while on his tour in Assam. They are, of course, unable to catch any thieves because thieves run away even at their sight. But they are very polite, they are very gentle. I have noticed that before they make any *lathi* charge—mild *lathi* charge—they always caution the crowd by saying "*Rana jara se hat jayiye*"; they say, "Gentlemen, please move a little". That sort of police, I submit, Sir, both for the purpose of ornamentation as well as for competent service should be preferred to the general U.P. Constabulary whose members I have noticed are generally thin and slender-looking because of the food which they take *i.e.*, the vegetarian food which they generally take. In Bihar there is no such scruple; the constables there are very strong and well-built and their general outlook is very good. That being so, they can be treated as well as the Army and I would respectfully request the honourable author of this Bill to take that view of the matter into consideration.

Prof. Shibban Lal Saksena (U.P.: General): I had no intention of interfering in the debate, but my friend Mr. Rohini Kumar Chaudhuri has cast a reflection on the manhood of the U. P. and he thinks that the Bihar people are more formidable looking. I personally think that if he had borrowed some U. P. people in Assam he would probably not have got this impression. I think he tell us all this because the Bill gives a sort of a special praise to the U. P.

The point made by him that the Central Government should keep its own police force in Delhi is, I think, not proper. Delhi is a small Province and if it is to have a special police force it will probably have to spend much. It requires a big police force only on occasions, and therefore it is natural that it should draw on the U. P. which is so near and which can supply its requirements. I therefore think that the proposition of a standing police force in Delhi is not feasible. We do not require it here always—we require it only on occasions; therefore this Bill which only extends the U. P. Act to the police when they are used in Delhi also, is quite fair and proper.

The other point raised by my friend Mr. Kamath, of having a uniform law for police all over India, is one which we should consider. It is an important point, but I think it is a bigger question and this Bill does not raise it.

[*At this stage Mr. Speaker vacated the Chair, which was then occupied by Mr. Deputy Speaker (Shri M. Ananthasayanam Ayyangar)*].

I hope when the Honourable Minister makes his speech he will give us some idea of his own intention of having a uniform law all over India about the police. I think it will be much better, but it is a thorny question: the question of provincial autonomy will come in and other question will come in. But still I do agree that we do want it as soon as possible uniformity is always good

[Prof. Shibban Lal Saksena]

I support this Bill and hope that my friend Mr. Rohini Kumar Chaudhury will not be jealous because U.P. has been given this privilege.

The Honourable Shri Satyanarayan Sinha (Minister of State): Sir, I move:

"That the question be now put."

Mr. Deputy Speaker: The question is:

"That the question be now put."

The motion was adopted.

The Honourable Sardar Vallabhbhai Patel: Sir, as one or two points have been raised I should like to answer them. My houourable friend Mr. Kamath has raised a question whether it would not be advisable to have one unified law for and control of the police all over India, or over the security measures. It is a very big question and I do not, know that the Proviuces would approve of it. But certainly so far as the Army is concerned, the attempt in that direction to have uniform command and control all over the forces including the forces in the States, is under consideration and steps are being taken towards that end. But so far as the police is concerned it is a different matter.

I have no recollection of my having made any reference of that kind in any of my speeches. It is true that I am advising uniformity of law so far as the police are concerned, or unification as far as possible in the direction of police laws, but to have the police under one discipline and one command all over India is a matter on which those who are advocates of provincial autonomy will dissent and probably it may not be advisable.

But this measure is a simple one. Whether we should enrol police from a particular province or not is not the question. I had instructed the Provinces some time back, long before the police actiou was taken in Hyderabad, asking the Provinces to enrol, train, discipline and have a good police force so that they may not have to depend upon military assistance in their Provinces, and that for internal law and order they must rely on their own police. I am glad to say that all the provinces took that action in the matter and U. P. was in the forefront. They have raised a very large police force. Unfortunately, in the city of Delhi conditions are different. Delhi suffers from various difficulties. One is that after the partitiou of Punjab and Sind, a large evacuee population has come to Delhi and among them a large number of restless and resourceless people have come here. In addition, some undesirables who left Punjab in those days have also found place here, where it is comparatively easy to commit robbery and pick-poketing and other resources are available for making easy money. The Police force was also completeiy disrupted in those days and a large number, or perhaps a majority of them, were in a mood to desert and actually deserted; they have gone. So we have to begin from the scratch. If we enrol new police from the refugees, they are not easily disciplined and during occasions of communal troubles, to use refugee police to suppress them is a difficult matter. When we found that attempts were made in Delhi to start campaigns of disruption we were in need of police, which could not be trained immediately. To have a disciplined police was a necessity and therefore during those periods of trouble we asked the C. P. Government to come to our help and they readily gave us help. In two or three months' time, when the trouble was over that force was returned to the C. P. Government with thanks and we acknowledged our gratitude for the help they gave. Now, at this stage, we did not want to trouble the province again, and as the U. P. Government have trained a very large police force—indeed to such an extent that the reports are that they want to disband some of it—we asked for some armed companies and they readily gave us this assistance. We found by

experience that the officer in command who comes from U. P. could take no disciplinary action against his own men, because the law governing the U. P. Police in the province of U. P., so far as disciplinary action in that force here is concerned, does not apply outside U. P. Therefore, as an emergency measure some action was necessary and it is only for this purpose that this Bill has been introduced. It may be necessary to send another batch of police to Ajmer, because we have these two or three Centrally Administered Areas. We are recruiting our Police but it takes a good long time to train and discipline this force. It must be remembered that this is armed constabulary, it is not the ordinary police which is used for patrolling or lathi charge or such "gentlemanly" purposes. This is a different kind of police. Therefore we have to take special care, and it takes a long time to train such police. This measure does not affect all the provinces. It is only for a small area where these police are that this measure has been brought. So I move that the Bill be taken into consideration.

Shri H. V. Kamath: With regard to the important question of the national integration of the police forces to which the Honourable Minister averted in his speech, does he think that the provinces will be so refractory as not to accept common rules for even the discipline and training of these forces. I do not think that the provinces will be so perverse as not to accept a common code for discipline and training. I think the House would be very grateful to the Honourable Minister if he took an early step in this direction.

The Honourable Sardar Vallabhbhai Patel: It is not a question of the provinces being refractory. I do not contemplate that any province would go against the wishes of the Central Government. (*Shri H. V. Kamath*: "Hear, hear."). The question is whether the Central Government would be prepared to encroach upon the autonomy of the provinces.

Mr. Deputy Speaker: The question is:

"That the Bill to apply the law in force in the United Provinces relating to the United Provinces Provincial Armed Constabulary to members of the said Constabulary when serving outside the United Provinces, be taken into consideration."

The motion was adopted.

Mr. Deputy Speaker: We shall now take the Bill clause by clause. There is no amendment to clause 2 or 3. I shall therefore put them both together.

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sardar Vallabhbhai Patel: Sir, I move:

"That the Bill be passed."

Mr. Deputy Speaker: Motion moved:

"That the Bill be passed."

Shri H. V. Kamath: Sir, I would only say this by your leave, that with due deference to the statement made by the Honourable the Home Minister, I do not think that the provinces would regard any move in the direction of national integration of the police forces—which is a very important matter in present day India—as an encroachment on their field of autonomy. I do not think that the provinces would regard it as an encroachment, but whether the Centre is prepared to move in that direction or not, is a different matter.

[Shri H. V. Kamath]

but as far as the provinces are concerned, I do not think they will look upon it in that light. I would only request the Honourable the Home Minister at least to ascertain the views of the provinces in this matter, and if the provinces are amenable to such control, to proceed in that direction, and I am sure the nation will be grateful to him for this essential development of integration of important security forces.

The Honourable Sardar Vallabhbhai Patel: I do not think I have anything to add to what I have already said. I have no doubt that the provinces would not appreciate the idea at present, nor would the Central Government appreciate the idea of asking the provinces to have uniform disciplinary rules and regulations and also to have one uniform police all over the country. The provinces have a certain amount of latitude, each province has different circumstances and different conditions, and must be able to decide what is good for it. As I have already said, so far as the military is concerned, we are moving in that direction, but so far as the police is concerned, it is better to leave that latitude to the provinces as it is.

Mr. Deputy Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

SEAWARD ARTILLERY PRACTICE BILL

The Honourable Sardar Baldev Singh (Minister for Defence): Sir, I move:

"That the Bill to provide facilities for carrying out seaward artillery practice, be taken into consideration."

Sir, as stated in the 'Statement of Objects and Reasons', in order to maintain the efficiency of the armed forces, it is necessary to provide artillery practice to them. At present such facilities are provided for in the Manoeuvres, Field Firing and Artillery Practice Act, 1938, only for clearing ranges for field firing and artillery practice on land; such facilities do not exist as far as seaward practice is concerned. During the war, this difficulty was overcome by rules framed under the Defence of India Rules. But with the lapse of the Defence of India Act, these rules do not exist now, and it has therefore, become necessary to bring forward this measure in order to maintain the efficiency of the forces.

Sir, this is a non-controversial measure and it was placed before the Standing Committee of the Legislature, and some of that Committee's suggestions have also been considered and incorporated in this Bill which is now before the House.

Notice has been given of some amendments and I propose to accept some of them which do not go contrary to the Bill. Others I am afraid, I will not be able to accept. I do not think it is necessary for me to take the time of the House any more, as this is a simple measure which is absolutely non-controversial.

Mr. Deputy Speaker: The question is:

"That the Bill to provide facilities for carrying out seaward artillery practice, be taken into consideration."

The motion was adopted.

Mr. Deputy Speaker: Clause 2 of the Bill. Is there any amendment which the Honourable Minister accepts?

The Honourable Sardar Baldev Singh: No.

Mr. Nazimuddin Ahmad (West Bengal: Muslim): Yes, I have an amendment. The word 'publication' in part (*b*) of sub-clause (*2*) seems to be an interloper and it seems to me that it should be omitted.

The Honourable Sardar Baldev Singh: I am not in a position to accept this amendment, because on examination I find that it is not acceptable.

Mr. Nasiruddin Ahmad: I may be permitted to move the amendment, and then the House can consider it. Sir, I move:

"That in part (*b*) of sub-clause (*2*) of clause 2 of the Bill, the word 'publication' be omitted".

Sir, Sub-clause (2) runs thus:

(2) In the application of this Act to any Acceding State—

(a) * * * *

(b) all references to the Collector or other authority entrusted with any functions by or under this Act or to the official Gazette shall be construed as references to such appropriate officer, authority or official publication as may be specified in this behalf by the Government of the Acceding State."

Mr. Deputy Speaker: But if you omit the word 'publication' you leave behind only 'official' coming after "officer, authority". Official there will be duplication. What is the difference between officer, authority and official.

Mr. Nasiruddin Ahmad: Then does it mean an official Gazette? Is it a reference to an official publication?

The Honourable Sardar Baldev Singh: Yes.

Mr. Nasiruddin Ahmad: Then I do not press it.

Shri S. V. Krishnamoorthy Rao (Mysore State): Sir, sub-clause (1) (d) states: "vessel" includes any ship, boat, country craft or any other description of vessel. I move:

"That in part (d) of sub-clause (1) of clause 2 of the Bill, for the words 'any other description of vessel', the words 'any other sea-faring vessel of similar description' be substituted."

The Honourable Sardar Baldev Singh: No, this amendment is not acceptable.

Mr. Deputy Speaker: The question is:

"That Clause 2 stand part of the Bill".

The motion was adopted

Clause 2 was added to the Bill.

Mr. Deputy Speaker: Then we come to clause 3.

Shri S. V. Krishnamoorthy Rao: Sir, I move:

"That in part (b) of sub-clause (3) of clause 3 of the Bill, for the words 'some newspaper circulating in and in the language commonly understood', the words 'local vernacular newspapers having the largest circulation' be substituted."

Sir, the object of the clause is to give the widest publicity to the notification and for this it is necessary that it should be published in the vernacular papers.

The Honourable Sardar Baldev Singh: We propose to give the widest publicity, and so this notification will be published in the newspapers which are read in those areas also. There is no intention of publishing it only in English papers. It will be published in vernacular papers also.

Shri S. V. Krishnamoorthy Rao: But in the clause it is in the singular. It speaks of publication "in some newspaper".

Mr. Deputy Speaker: But singular always means plural also. Newspaper means also newspapers. I suppose the honourable member does not intend to press his motion.

I find notice of these amendments was received only just now. Notice was received only to-day at 11 A.M.

The Honourable Sardar Baldev Singh: And so I could not get them examined at all. As I said, I propose to accept two or three amendments and they will cover the points made out in their amendments by other Members.

लाला अचिन्त राम : मैं यह तरमीम पेश करना चाहता हूं :

Lala Achint Ram (East Punjab: General): I beg to move the following amendment:

"That in part (b) of sub-clause (3) of clause 3 of the Bill, after the word 'specified', the words 'and also by beat of drums' be inserted."

यह बड़ी सादी तरमीम है और अगर मोहतरम वजीर साहब इस को कबूल कर लें, तो मैं इस पर कोई तकरीर न करूं ।

(This is a very simple amendment. In case the Honourable Minister accepts it I shall make no speech in its support.)

The Honourable Sardar Baldev Singh: I accept this amendment.

Pandit Thakur Das Bhargava (East Punjab: General): If this amendment is accepted, then the word 'either' at the very beginning of sub-clause (b) cannot stand there, because you have the word 'also' coming on later on. If you want to retain 'either' at the beginning, then you have to drop out 'also' coming in the words 'and also by beat of drums'.

The Honourable Sardar Baldev Singh: If by accepting this amendment, 'either' becomes unnecessary, it will be removed.

Mr. Deputy Speaker: The word 'either' occurring at the start may be omitted, if the amendment of Lala Achint Ram is accepted. That will be an ancillary change.

Shri R. K. Sidhva (C. P. and Berar: General): And for the word 'or' at the end, we may have to use the word 'and'.

Mr. Deputy Speaker: Yes. Then shall I put the amendment to vote? The question is:

"That in part (b) of sub-clause (3) of clause 3 of the Bill, after the word 'specified', the words 'and also by beat of drums' be inserted".

And I also take it that Lala Achint Ram would like that the word 'either' occurring in the beginning be omitted, and also that the word 'or' occurring after the word "specified" be changed to "and".

The Honourable Sardar Baldev Singh: If it is a consequential change, I accept it.

Mr. Deputy Speaker: Or I would suggest the words "by beat of drum or in any other manner"

Pandit Thakur Das Bhargava: But the mover wants all the three methods, publication in the Gazette, publication in the papers and also by beat of drum.

Mr. Deputy Speaker: No. He says it may be done by beat of drum "or in such other manner as may be prescribed." But I think we can have "and" or "or" in the sentence

Shri C. Subramaniam (Madras: General): Sir, the words "and in such other manner as may be prescribed" will include beat of drum and tom-toms also.

4. P.M.

Mr. Deputy Speaker: The Minister accepts it.

The question is:

"That in part (b) of sub-clause (3) of clause 3 of the Bill, after the word 'specified', the words 'and also by beat of drums' be inserted".

The motion was adopted.

Mr. Deputy Speaker: The question is:

"That in part (b) of sub-clause (3) of clause 3 of the Bill, the word 'either' be omitted"

The motion was adopted.

Prof. Shibban Lal Saksena (U.P.: General): I have not given notice of any amendment. But this clause gives power to the provincial Government to do certain things. As this concerns the army, I think it necessary that the Centre also should have this power. There may be occasions when things may have to be done by the Central Government itself. Provinces may not always be amenable to the Centre. To guard against such a contingency, in a matter concerning the army, it is necessary that the Centre also should have this power under clause 3.

The Honourable Sardar Baldev Singh: Sir, I think the form in which the clause stands is clear. The provincial Governments, by themselves will not take any action. It is only when we move them that they will take action.

Prof. Shibban Lal Saksena: As this is an army question, I think the Central Government should have power for itself also in this matter of the artillery practice.

The Honourable Sardar Baldev Singh: Sir, the clause may be allowed to stand as it is.

Pandit Thakur Das Bhargava: Sir, the position is clear. If the Central Government wants, the Provincial Government concerned will notify. No conflict between them will arise. All that the Government has to do is to send a notification and ask the Collector of the place to give it publicity. The people will then vacate the place and there will be no danger. The Central Government authorises the artillery practice and the provincial Government will notify it. I do not see how a possible conflict can arise.

Mr. Deputy Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Shri S. V. Krishnamoorthy Rao: I move:

"That in sub-clause (1) of clause 4 of the Bill, for the word 'Where', occurring in line 1, the word 'After' be substituted."

I think the artillery practice should be begun only after the notification is issued.

The Honourable Sardar Baldev Singh: I accept the amendment.

Mr. Deputy Speaker: Shri Krishnamoorthy Rao may move his next amendment also. The word 'and' at the end of sub-clause (1)(a) has to be removed and inserted after the word 'practices' in sub-clause (1)(b).

Shri S. V. Krishnamoorthy Rao: Sir, I move:

"That in sub-clause (1) of clause 4 of the Bill,—

(i) the word 'and' occurring at the end of part (a) be omitted and part (a) be re lettered as part (b); and

(ii) part (b) be re-lettered as part (a) and the word 'and' be added at the end."

[Shri S. V. Krishnamoorthy Rao]

Sir, I think the provision for the prohibition of entry and restricting the use of a notified area as found in part (b) should be made first and then only orders mentioned in (a) to carry out the artillery practice should issue and as such shown in the clause.

The Honourable Sardar Baldev Singh: I accept this amendment also.

Mr. Deputy Speaker: I will now put the amendments to the House.

The question is:

"That in sub-clause (1) of clause 4 of the Bill,—

(i) for the word 'When', occurring in line 1, the word 'After' be substituted;

(ii) the word 'and' occurring at the end of part (a) be omitted and part (a) be re-lettered as part (b); and

(iii) part (b) be re-lettered as part (a) and the word 'and' be added at the end."

The motion was adopted.

Mr. Nasiruddin Ahmad: Sir, I have an amendment to this clause. I move:

"That in part (b), re-lettered as part (a), of sub-clause (1) of clause 4 of the Bill, for the word 'practices', occurring at the end, the word 'practice', be substituted."

In part (1) (a) of this clause the singular has been used. Here therefore we need not have the plural. The provision in the General Clauses Act will supply the plural if there is need for it in any case. The Honourable Minister is willing to accept this amendment.

Mr. Deputy Speaker: The question is:

"That in part (b), re-lettered as part (a), of sub-clause (1) of clause 4 of the Bill, for the word 'practices', occurring at the end, the word 'practice', be substituted."

The motion was adopted.

Pandit Thakur Das Bhargava: Sir, I move:

"That in part (b), re-lettered as part (a), of sub-clause (1) of clause 4 of the Bill, for the word 'is' occurring in line 4, the word 'remain', be substituted."

In 4(1) (b) it is said: "give directions prohibiting or restricting the use of the notified area or any part thereof including the use of any part of the area of the sea by any vessel, and take such further measures as may be necessary to ensure that no unauthorised person enters, passes over or is in the notified area." I want that this word 'is' is substituted by the word "remains", because the requisite thing is that no person should be allowed to remain.

With your permission, I will suggest one amendment more, which is in clause 4(2). "The Officer Commanding the forces engaged in any such practice may declare any portion of the notified area as a danger zone, ..." I want that the word "as" be substituted by the words "to be" as you will find similar words are used in clause 6(3): "Compensation payable under sub-section (2) shall include compensation for the removal from any portion of a notified area declared to be a danger zone . . . ." I think it would read better if the word "as" be substituted by "to be". I move:

I move:

"That in sub-clause (2) of clause 4 of the Bill, for the word 'as', occurring in line 2, the words 'to be' be substituted."

The Honourable Sardar Baldev Singh: I see no objection.

Mr. Deputy Speaker: The question is:

"That in part (b) re-lettered as part (a) of sub-clause (1) of clause 4 of the Bill, for the word 'is' occurring in line four, the word 'remain' be substituted."

The motion was adopted.

Mr. Deputy Speaker: The question is:

"That in sub-clause (2) of clause 4 of the Bill, for the word 'as occurring in line two, the words 'to be' be substituted."

The motion was adopted.

Lala Achint Ram: Sir I move:

"That in sub-clause (2) of clause 4 of the Bill, for the word 'Conunanding', wherever it occurs, the word 'commanding' be substituted."

Mr. Deputy Speaker: This would not be allowed to be moved.

लाला अचिन्त राम : इसमें मैं यह कहना चाहता हूं कि जहां कमांडिंग कैपिटल "C" से लिखा है वहां स्माल के साथ होना चाहिये । अगर यह मंजूर न हो तो ऐसे ही कर लीजिये । मेरे बड़े अंगरेजीदान होने का दावा नहीं है लेकिन आप चाहें तो छोटा कर लें । अगर हिन्दी में होता तो मुझे कोई शिकायत नहीं होती । लेकिन यह अंगरेजी में है इस लिये आप इसे छोटा बड़ी रखना मान लीजिये । लेकिन अगर आप Commanding का "C" छोटा करना नहीं चाहते तो Commanding के पीछे "of" लगा दीजिये ताकि फिकरा साफ और ठीक हो जावे ।

(*English translation of the above speech.*)

Lala Achint Ram: Sir, I beg to submit that wherever the word "Commanding" is written with a capital "C" there small "c" may be substituted. If you disagree then the change may not be made. I donot claim to be an authority on English language, but if you agree then small "c" may be substituted. Had it been in Hindi I would not have any objection, but as the Bill is in English so you may agree to make the change from capital to small. But if you disagree to substitute small "c" in "Commanding" then kindly add the word "of" after it so that the sentence may become clear and intelligible.

Mr. Deputy Speaker: There was a ruling by Mr. Speaker that all these amendments will be carried out by the draftsman, *i.e.*, regarding the capital, comma and so on. I hope the honourable member is not anxious to press it.

Lala Achint Ram: I have moved my amendment. The Honourable Minister promised to accept my amendment and he is going back on his word.

The Honourable Sardar Baldev Singh: No, Sir.

Mr. Deputy Speaker: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Shri O. V. Alagesan (Madras: General): I desire to have a clarification from the Honourable Minister with regard to payment of compensation. The entire coast line is dotted with small villages of fishermen who go out in country craft into the sea for fishing purposes and make out their livelihood. Under clause 3 they will be prohibited from doing so for a day or some days consecutively, it may be even for a week and that means they will be deprived of their livelihood and it will be interference with their rights and privileges within the meaning of section 5. In such cases it is but just and necessary that compensation should be paid. I should like to know whether compensation in such a case is contemplated and I should like to have the assurance of the Honourable Minister that these poor people would be paid compensation.

The Honourable Sardar Baldev Singh: It has been made quite clear that wherever these fishermen or other people have to vacate their places, they will be given compensation, but it will be for the local authorities to decide whether they have suffered any loss or not. It is very difficult for me to say, but as far as we are concerned, our intention is to compensate them adequately.

Shri T. T. Krishnamachari (Madras: General): Not for loss of livelihood?

Shri O. V. Alagesan: It is interference of rights.

Mr. Deputy Speaker: It is evidently covered by the words "or interference with rights or privileges". Interference with the avocation also come under compensation.

Shri O. V. Alagesan: It is better if it is made clear and instructions given to Provincial Governments that compensation in such cases ought to be given; otherwise they may interpret it in a different way and the poor people will be left without anything.

Mr. Deputy Speaker: It is the intention of the Mover of the Bill to make it so.

The Honourable Sardar Baldev Singh: That is why we have kept this absolutely open and wherever the compensation is due, we want to give them due compensation, but is is very difficult, to say, for instance, the cases which the honourable member has made.

Shri S. V. Krishnamoorthy Rao: Amendments Nos. 13 and 14 are verbal amendments and I have tabled them to bring the phraseology in tune with the earlier phraseology.

The Honourable Sardar Baldev Singh: I accept amendments Nos. 13 and 14.

Shri S. V. Krishnamoorthy Rao: Sir, I move:

(i) "That in clause 5 of the Bill, for the word 'practices' occurring in line 4, the word 'practice' be substituted".

(ii) "That in clause 5 of the Bill, for the word 'and' occurring in line 5, the word 'or' be substituted".

Mr. Deputy Speaker: The question is:

(i) "That in clause 5 of the Bill, for the word 'practices' occurring in line 4, the word 'practice' be substituted".

(ii) "That in clause 5 of the Bill, for the word 'and' occurring in line 5, the word 'or' be substituted".

The motion was adopted.

Shri C. Subramaniam: Clause 5 as it is reads like this: interference with rights or privileges "arising from such practices" and it would appear as if "arising from such practices" qualifies the words, "rights or privileges." In my opinion it is not right.

Mr. Deputy Speaker: It refers to any damage to person or property.

Shri C. Subramaniam: It should be so but as it is, it would read as if "arising from such practices," governs "rights or privileges."

Mr. Deputy Speaker: Possibly a comma may be necessary.

Shri C. Subramaniam: That may be considered as some alteration is necessary, to make the meaning clear.

Pandit Thakur Das Bhargava: Two points have been brought forward. The first speaker said that it may happen that the fishermen etc., who live there may not be given compensation as a result of notification and the other thing which has been pointed out by Shri Subramaniam is that there can be two interpretations. I sent amendment No. 9 and I beg to submit that supposing the practice does not take place, what happens. As a matter of fact a notification is issued and the rights of people are interfered with; they have to remove their effects and the practice must take place thereafter. Some damage or some interference with the rights and privileges may arise without the actual practice having taken place. I have not moved the amendment so far as I was assured that usually when a notification is issued practice does take place, but if there are difficulties as pointed out by other members, I submit that notice of this amendment be taken, and if the Honourable Minister is agreeable, that these words would mean that even after the issue of notification there is no practice in fact, but some damage or interference with the rights has taken place, then such a case will be covered and those poor peope will be protected; I would ask that these words "consequent upon such notification of practice" be accepted for the words 'arising of such practices'.

The Honourable Sardar Baldev Singh: As I explained to my honourable friend, it is not possible to accept the amendment. I explained to him that we give notice only when we want to carry out practices. Once the notice is given the practice is carried out. It may be that instead of five to six days, the practice is cut down to one or two days.

Pandit Thakur Das Bhargava: I have not yet moved my amendment. I have only pointed out the difficulties.

Mr. Deputy Speaker: The notification may be issued and practice may be started fifteen or twenty days later. The damages, however, will be calculated from the date on which the practices start. But what about the notification. From that day there will be loss of occupation of profession. For fifteen days no one will be able to enter that area.

The Honourable Sardar Baldev Singh: I am not quite sure, but I think it is covered.

Mr. Deputy Speaker: I leave it to the Honourable Minister and the House.

Pandit Thakur Das Bhargava: In my opinion it is quite all right. "Arising from such practices" means as a result of the proposed practice. If there is any damage it will be paid for. I only fear that a practice may not take place. But the Honourable Minister has assured me that no such contingency will take place.

Mr. Deputy Speaker: The question is:

"That Clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Shri S. V. Krishnamoorthy Rao: Sir, I move:

"That in sub-clause (1) of clause 6 of the Bill, for the words 'area utilised for the purpose of seaward artillery practice', the words 'notified area' be substituted."

The Honourable Sardar Baldev Singh: I accept it.

Mr. Deputy Speaker: The question is:

"That in sub-clause (1) of clause 6 of the Bill, for the word 'area utilised for the purpose of seaward artillery practice', the words 'notified area' be substituted."

The motion was adopted.

Lala Achint Ram: Sir, I move.

"That in sub-clause (4) of clause 6 of the Bill, for the words 'fifteen days', the words 'one month' be substituted."

The Honourable Sardar Baldev Singh: I accept it.

Mr. Deputy Speaker: The question is:

"That in sub-clause (4) of clause 6 of the Bill, for the words 'fifteen days', the words 'one month' be substituted.'

The motion was adopted.

Shri S. V. Krishnamoorthy Rao: Sir, I move:

"That for sub-clause (4) of clause 6 of the Bill, the following be substituted :

'(4) Any claimant aggrieved by the decision of the Revenue Officer either on the ground of refusal to award compensation or its inadequacy may within one month of the communication of the decision to him, prefer an appeal to the Collector of the district against such decision."

Mr. Deputy Speaker: Amendment moved:

"That for sub-clause (4) of clause 6 of the Bill, the following be substituted :
'(4) Any claimant aggrieved by the decision of the Revenue Officer either on the ground of refusal to award compensation or its inadequacy may within one month of the communication of the decision to him, prefer an appeal to the Collector of the district against such decision.' "

The Honourable Sardar Baldev Singh: I am not in a position to accept it.

Shri S. V. Krishnamoorthy Rao: In that case I ask leave of the House to withdraw.

Mr. Deputy Speaker: Has the honourable member the leave of the House to withdraw?

The motion was, by leave of the Assembly, withdrawn.

Pandit Thakur Das Bhargava: I would draw your attention to clause 6 (2) which reads:

"The Revenue Officer so deputed shall consider all claims for compensation under section 5 and determine, on local investigation and after affording the claimant an opportunity of being heard, the amount of compensation, if any, which shall be awarded in each case; and shall disburse on the spot to the claimant compensation so determined as payable."

For the words "shall be awarded" I would like that the words 'should be awarded' be substituted because disbursement follows. The word "awarded" does not mean any disbursement in fact.

The other thing is that in Clause 6(3) two kinds of compensation are mentioned: one "removal from any portion of a notified area declared to be a danger zone of any person, property or vessel:" The other is "for any damage sustained in the course of any such removal:" If you read a little further on it says: "such compensation to be disbursed on the spot at not less than the minimum prescribed rates before the removal is enforced. My submission is that in so far as the question of compensation for removal is concerned, it can be given before the removal is enforced according to the minimum prescribed rates. So far as the question of damage sustained in the course of any such removal is concerned, that amount of damage can be known when a person has been removed. So this cannot be given beforehand. Therefore, the phrase "such compensation" should be amended as I have indicated in my amendment. Then it would mean that this part would be governed by the minimum prescribed rates so far as removal is concerned, and so far as the damage in the course of such movement goes, it will be a matter of enquiry and subsequently it will be payable.

The Honourable Sardar Baldev Singh: I think the honourable member is referring to the amendment from the new list. But I am not accepting it.

Pandit Thakur Das Bhargava: But the point still remains and it is really putting the cart before the horse.

Mr. Deputy Speaker: It is a matter of substance. The Honourable Minister might consider it. I am anxious to see that the proper phraseology is used.

The Honourable Sardar Baldev Singh: As far as the phraseology is concerned, I have no objection to adjustment. But with regard to the difficulty pointed out by Pandit Bhargava, I want to say that we have agreed in this Bill to pay compensation That means that part of the compensation will be paid before the removal: the other part will be paid after enquiring as to what the extent of damage is.

Mr. Deputy Speaker: As things stand, the fact remains that any such compensation has to be disbursed on the spot both in sub-clauses (2) and (3) of Clause 6. This compensation will not be paid at less than the minimum prescribed rates before the removal is enforced.

This compensation is both for removal and damage during removal. The latter compensation refers to payment before removal.

Mr. Bhargava wants to modify the clause so that compensation for removal shall be paid in advance, leaving the other thing damage to be determined later on. This will be an improvement in language and would make it clearer. I think the Honourable Minister might consider the amendment.

The Honourable Sardar Baldev Singh: I have no objection that for 'removal', compensation should be paid in advance.

Pandit Thakur Das Bhargava: Sir, I move:

"That in sub-clause (3) of clause 6 of the Bill, for the words 'such compensation to' the words 'the compensation for removal will' be substituted."

Mr. Deputy Speaker: The question is:

"That in sub-clause (3) of clause 6 of the Bill, for the words 'such compensation to' the words 'the compensation for removal will' be substituted."

The motion was adopted.

Mr. Deputy Speaker: The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clauses 7 and 8 were added to the Bill.

Shri S. V. Krishnamoorthy Rao: Sir, I submit that the notifications are made by the Government and published in the Official Gazette for the information of the public. I have tabled some amendments according to the phraseology used in other Bills.

The Honourable Sardar Baldev Singh: I am sorry I cannot accept them.

Shri S. V. Krishnamoorthy Rao: In that case I do not want to move them.

Mr. Deputy Speaker: The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sardar Baldev Singh: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Nazirudin Ahmad: Sir, the long title does not contain any punctuation.

Mr. Deputy Speaker: That will be considered by the draftsman.

The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

INDIAN EMIGRATION (AMENDMENT) BILL

The Honourable Shri Jawaharlal Nehru (Prime Minister and Minister for External Affairs and Commonwealth Relations): Sir, I beg to move.

"That the Bill further to amend the Indian Emigration Act, 1922, be taken into consideration."

This Act originally dealt with what used to be called British India. Thereafter the words "British India" were changed and gave place to "the Provinces of India". Now the words 'Provinces of India' are not sufficient, because of the acceding States and there are a number of ports in these maritime states—Okah, Cochin and a number of others—and it has become necessary that the benefits conferred by this Bill on emigrants be extended to the emigrants proceeding through those ports.

The Bill is a very short one proposing to change the language. Section 1 is amended to read "It extends to the whole of India". There is a consequential change in section 31 and in other sections for the words 'the Provinces' wherever they occur the word 'India' is to be substituted.

Mr. Deputy Speaker: Motion moved:

"That the Bill further to amend the Indian Emigration Act, 1922, be taken into consideration."

Shri H. V. Kamath (C. P. and Berar: General): Sir, while welcoming this measure may I request the Honourable the Prime Minister to enlighten the House upon a matter which though not strictly germane to the Bill, itself, yet, to my mind, arises out of the issue which has necessitated this measure? The Indian Emigration Act, 1922, was enacted at a time when emigration was confined to movement by sea, so far at least as India was concerned. Now we are living in the air age when emigration by air is no less common and no less frequent than emigration by sea. It may be that in the present day all emigrants by air, though embarking at an air port in an acceding state, have got to touch at a port in an Indian Province and so the control will be ultimately exercised at the air port in the Indian province but it is not at all unlikely that in the very near furture it will be possible for emigrants to embark at an air port of an acceding state and proceed straight out of India. There are many big aerodromes and air ports in the States that have acceded to India. Baroda is one of them, which has expanded in recent times considerably and as regards control at these air ports it will become a very important subject in the near future. I am constrained to say, and with the deepest regret, that the control exercised at some of the ports is not what it should be or might be. There are serious allegations of lack of efficient control at some of the air ports in India, for instance, with regard to passengers migrating from India to Pakistan. Serious allegations have been made even in the very recent past that people emigrating from India to Pakistan manage to smuggle a lot of property in gold and silver, if not other material too. I would therefore request the

Honourable the Prime Minister to tell us, when this subject of emigration from an airport in an acceding State becomes a live issue, whether it will be necessary to bring yet another Bill to amend this Indian Emigration Act of 1922 of whether it will not be desirable, and even salutary, here and now, to place on the statute book a new Emigration Act to apply to all kinds of emigration. Emigration by land is perhaps not very common, and perhaps there is enough control already being exercised in that regard, but as regards emigration by air, no less than emigration by sea, I would seriously suggest to the Honourable the Prime Minister to place on the statute book a comprehensive measure, scrapping the old Indian Emigration Act, because we are now legislating in the year 1949 which is a generation later than 1922 when the last Act was passed. It would be far more desirable to have on the statute book a measure which will control emigration by sea as well as by air—from a maritime port as well as from airports in the Provinces and in the acceding States. This will again, be conducive to the integration and unification of India which we all have so much at heart. Sir, I support the Bill.

The Honourable Shri Jawaharlal Nehru: Well, Sir, I confess that my limited mind and vision had not given thought to the wide vistas which my honourable friend has pointed out that arise from this Bill. This Bill simply seeks to get in all the States and put them on a par with the rest of India in regard to emigration. When this Act was originally passed in 1922 it was meant for the protection of emigrants because a large number of people wanted to exploit emigrants by making promises to them or otherwise inducing them to go abroad. They made some money, I suppose, from the people who wanted skilled or unskilled workers. So the Act was meant to protect these workers. It was not to prevent people from going, but to protect emigrants who were going out in large numbers, normally for work, outside India. That was the object of it. Now Mr. Kamath has brought in all manner of other considerations, of people going to Pakistan carrying gold and silver and other things. Those points may be considered in their proper context, but they have nothing to do with this Bill at all. Nor does air travel come into the picture. No emigrant, of that type goes by air.

I agree with Mr. Kamath that it may be desirable for us to recast the whole Emigration law sometime or other. In fact the time has come when it is difficult to encourage or even to accept the fact of Indian labour or emigrants going abroad, because they are not received with open arms or treated well outside. Therefore we should not encourage this thing. This Bill was not intended to encourage but to discourage it. As for other methods of stopping people from going or coming, I suppose sometimes we are forced to do that. But I hope the time may come soon when there will be free movement between countries. We have had enough of passports, visas, police and other officers functioning, and it is becoming almost impossible for people to move about from one place to another. The wrong kind of person always manages to go. It is the right kind of person who is troubled by all these restrictions and the like. I hope honourable members will remember—perhaps Mr. Kamath is too young to know that—that there were no visas and passports necessary previously. It is only about thirty years ago or a little more that they came in. I hope that time will come again. Anyhow, so far as this Bill is concerned I submit that all these points do not arise.

Shri H. V. Kamath: On a point of information only, may I ask whether there was no visa or passport necessary when the Honourable the Prime Minister went to England first?

The Honourable Shri Jawaharlal Nehru: None.

Mr. Deputy Speaker: The question is:

"That the Bill further to amend the Indian Emigration Act, 1922 be taken into consideration."

The motion was adopted.

Mr. Deputy Speaker: The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1 was added to the Bill.

Mr. Deputy Speaker: There is an amendment by Mr. Naziruddin Ahmad to the long title that a full-stop be added at the end. It is a drafting one.

Mr. Naziruddin Ahmad (West Bengal: Muslim): As it is, it is a non-stop long title.

Srijut Rohini Kumar Chaudhuri (Assam: General): Sir, I want to speak on this. My honourable friend Mr. Naziruddin Ahmad, is taking it in a very light fashion. But it is not as light a matter as it looks at the first sight. For instance we have got to send drafts of Bills, and we ought to know what is exactly the correct form. In the Bill which has been moved by the Prime Minister he has not used the full-stop, but in the Bill which is being introduced by the Deputy Prime Minister, that is the Bill to provide for the control of the transfer of certain securities and for the issue of duplicate certificates in respect thereof, he has used the full-stop. When there is this difference of opinion between the Honourable the Prime Minister and the Honourable the Deputy Prime Minister we are bewildered, and I hope that it will be generally agreed that we must follow the Prime Minister. If you ask us to do that, we shall henceforward not use any full-stop at all.

Mr. Deputy Speaker: The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

The Honourable Shri Jawaharlal Nehru: Sir, I move:

"That the Bill be passed."

Mr. Deputy Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

PROTECTIVE DUTIES (AMENDMENT) BILL

The Honourable Shri K. C. Neogy (Minister for Commerce): Sir, I move:

"That the Bill to amend the Protective Duties Act, 1946, be taken into consideration."

I venture to claim that this is the shortest Bill of this session and the least controversial. It merely seeks to extend the life of an Act from three years to five years. I wonder if honourable members found time to refer to the Act itself. This is an Act which was passed in April 1946 and it was given a life up to the 31st March 1949. It sought to give Government certain special powers to be exercised, if I may say so, in emergent circumstances for the protection of an industry where such protection has been recommended by the Tariff Board.

There are further certain conditions which should be fulfilled in any particular case before this special power can be used. First of all, an industry must be recommended for protection by the Tariff Board. Secondly, the Government must accept that recommendation. Thirdly, the next Legislative Session should not be near at hand, that is to say a long time will otherwise elapse before the decision of the Government to give effect to the recommendation of the Tariff Board, could be implemented by the summoning of the Legislative Session where that recommendation could be taken up for consideration. If, in such circumstances, Government came to think that the interests of the industry concerned would be seriously jeopardised unless immediate action were taken on the lines of the recommendation of the Tariff Board with which they agree, then only action could be taken by a notification under this Act; the notification binds, could prescribe no greater increase in the duty than any that may be recommended by the Tariff Board. Then an obligation is cast upon the Government to bring forward a measure at the earliest possible opportunity when the next Legislative Session begins and if no such measure is brought forward then the notification automatically lapses after two months of the cessation of the Legislative Session.

Now, I may tell the House that during all these three years or so when this particular Act has been in operation, there arose only one case in which action had to be taken under the Act by way of notification. It is not a provision that is likely to be used in every case, but having regard to the fact that a large number of applications are now pending with the Tariff Board and a larger number still are coming in for reference to the Tariff Board we do think that as a measure of precaution we should seek to extend the life of this measure for another two years so as to correspond more or less with the extended life of the Tariff Board itself. Sir, that is the object of this measure.

Mr. Deputy Speaker: Motion moved:

"That the Bill to amend the Protective Duties Act, 1946, be taken into consideration."

Shri R. K. Sidhva (C. P. and Berar: General): Sir, this Bill, as the Honourable Minister has stated, is a very simple one, simple in the sense that it only wants to change the figure from 1949 to 1951. But what are the implications of the original Bill for which an extension is sought to be made? At one stage it was certainly desirable, under the British rule, that our industries should be fully protected and we advocated for it from the housetops despite the higher prices and the very large protection given by the State from the tax-payers' money, because we did not want the foreign goods to be imported into this country.

But the times are now changed. I do not know whether Government have considered whether the question of protective duties and the reference to the Tariff Board should be revised. I know of industries, Sir, which are tottering and yet they are referred to the Tariff Board for protection. In the last Session a reference was made that small industries which could not stand on their own legs should not be given protection. This protection has an indirect and sometimes a direct bearing on inflation. The consumer goods imported from foreign countries, though they may be foreign, at times are cheaper than our own articles made in this country. Therefore, Government should give serious thought to this matter and see whether under the changed conditions and the inflationary position, it is desirable that industries should be given protection at the cost of the consumers and the State money.

This Bill says that the period should be extended up to 1951 so that the Tariff Board whose life has been extended by a period of two years, should get an opportunity to consider all the applications that may have been placed before the Board. I only contend that although the principle of the Bill is only

[Shri R. K. Sidhva]

to extend the period, I do hope that the Government will consider the points that I have brought to the notice of the Honourable Minister.

Prof. Shibban Lal Saksena (U. P.: General): Sir, I have been surprised at Mr. Sidhva's speech. Probably he has not properly understood the purpose of this Bill. This Bill merely gives to our Government the power which we gave to the foreign Government. In fact, it does not give protection to anybody or take out protection from anybody. It only authorises the Government to give protection when it sees that it is necessary in national interests. I am myself against indiscriminate protection and have enquired from the Honourable Minister just now whether he would give protection to certain industries like the sugar industry which I think no longer should have any protection in the old form.

But this Bill does not do any such thing. It does not give protection to any industry or extend protection. It only gives the Government power that for two years they shall have the authority that if they think that in national interests it is necessary to give protection to some industry, they can give it. I think we should arm our Government with this power especially when they will give protection only on recommendation from the Tariff Board and only when this Assembly is not in session—if it is in session then they will bring it before us. Besides, there are so many safeguards. Therefore I think Mr. Sidhva's speech was misconceived. Probably he never understood the implications of this Bill. I support the motion moved by Mr. Neogy and hope that the Bill will be passed unanimously and that my friend Mr. Sidhva will withdraw his opposition to it.

Babu Ramnarayan Singh (Bihar: General): Sir, my honourable friend Mr. Neogy says that the Bill is the shortest of all Bills to be submitted. To me it seems the most extraordinary Bill. To give protection to industries is not always profitable, especially to consumers. The Bill is intended to give powers to the Government to grant protection. It is rather to give protection by way of Ordinance. I can understand that in matters of law and order and such other emergencies, Government can get any amount of power to issue Ordinances, but in matters of protection for Government to get these powers, I cannot understand it. (*An Honourable Member*: "It is emergent protection".) Professor Shibban Lal Saksena, says that this Bill is intended to give powers to our own Government, the powers which we gave to the foreign Government. Well, Sir, it is our own Government all right, but are we to give the Government all the powers? Then in one sentence we may give all the powers to the Government to do anything and we may go home.

In the matter of giving protection to industries I do not think such powers should be given to the Government. It was given up to 1949; let it be up to 1949. Every time the Government should come to the Assembly for such protection. They do not require such powers in such matters.

With these words, Sir, I hope my honourable friend will consider the matter in a more serious manner and will allow the Assembly to have powers to give protection. My friend says the Assembly will not be in Session throughout but it will be in session at least twice a year. So in the interval of two or three months, if any industry does not get protection and if it fails—such industry ought to fail.

5 P.M.

Honourable Members: It is past five. Let us adjourn now.

Babu Ramnarayan Singh: I shall resume my seat, but, Sir . . .

Mr. Deputy Speaker: The honourable member may continue tomorrow.

The Assembly then adjourned till a Quarter to Eleven of the Clock on Tuesday, the 8th February, 1949.

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